

From: Covington, Tayler
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Subject: News Clips

Region 2 News Clips

[Solar energy lights up SUNY New Paltz's campus](#) (POUGHKEEPSIE JOURNAL; April 25, 2018)

The new solar energy system at SUNY New Paltz is designed for savings: Money, impact on the environment and power for a time of need.

[Catskill Center and DEP announce Streamside Acquisition Program grant](#) (MID-HUDSON NEWS; April 25, 2018)

The Catskill Center and the New York City Department of Environmental Protection announced the purchase of a two-acre parcel of land in Greene County, the first to be protected under a new program that preserves environmentally sensitive lands alongside streams, creeks and rivers.

[Newark Faces Court Test over Lead Levels in Water](#) (NJ SPOTLIGHT; April 25, 2018)

The city of Newark and the acting commissioner of the state Department of Environmental Protection are facing a court battle over unsafe levels of lead in drinking water.

[NJ first lady visits green elementary school in honor of Earth Week](#) (NJTV NEWS; April 25, 2018)

These fifth graders are lined up to welcome two special guests to their elementary school in honor of Earth Week.

[UB tops Mid-American Conference in green power usage](#) (UNIVERSITY OF BUFFALO; April 25, 2018)

BUFFALO, N.Y. — The University at Buffalo has had a pretty dominant year in Mid-American Conference athletic competition. Turns out, UB also leads the MAC when it comes to power of another variety.

[Cape May ferry to join other ships in underwater graveyard in Delaware Bay](#) (NJ.COM; April 24, 2018)

The former ferry MV Twin Capes is getting ready for one last sailing that, if all goes according to plan, will end at the bottom of the ocean.

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Full Articles

Region 2 News

POUGHKEEPSIE JOURNAL

[SUNY New Paltz one of first universities to bring solar to campus](#)

By Amy H Wu

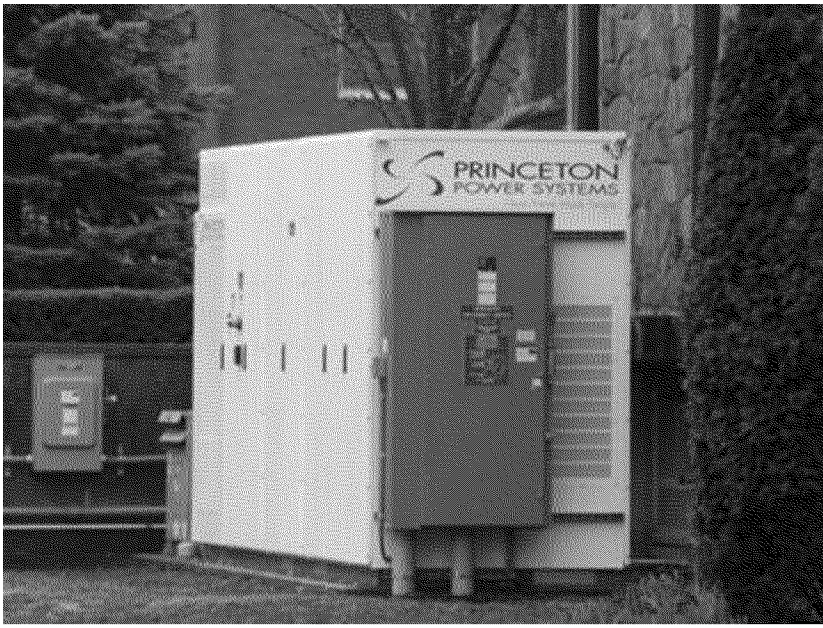
New solar arrays at SUNY New Paltz will serve as research opportunity & provide power for gym & library, as well as provide power during emergencies. Patrick Oehler, Poughkeepsie Journal



The new solar energy system at SUNY New Paltz is designed for savings: Money, impact on the environment and power for a time of need.

The college's new solar energy and battery storage system was a \$1.4 million project. It is the culmination of collaboration between the state, the college and various other energy entities.

The first phase of the project, which has been in the works for several years, is complete. A few months back, solar lit up the Sojourner Truth Library and more recently Elting Gym.



The power inverter and battery bank for the solar panels on the roof of Elting Gym at SUNY New Paltz on April 25, 2018. (Photo: Patrick Oehler/Poughkeepsie Journal)

SUNY New Paltz is one of first universities in New York with a system that combines solar, battery storage and smart inverters - a technology that manages the energy flow between solar power and the electric grid and using research, according to the NY Power Authority. The combined system means solar energy can be stored in batteries and used at other times.

While solar projects are fast growing in the state, not many combine solar and battery, said John Maserjian of Central Hudson gas & Electric Corp., which contributed to the New Paltz project.

The solar and battery system is more expensive, said Sangeeta Ranade, vice president of NY Power Authority's clean energy business and market development.



At Wednesday's public unveiling of the project, Lt. Gov. Kathy Hochul said it benefits the community. For example, the Elting Gym is designated by the American Red Cross as an emergency shelter and before the new solar system, it did not have generators.



New York's Lieutenant Governor, Kathy Hochul speaks during Wednesday's ribbon cutting for a new solar array at SUNY New Paltz on April 25, 2018. (Photo: Patrick Oehler/Poughkeepsie Journal)

The system can “turn a gym into an indie powered institution because of harnessing the solar power and the batteries. It can be used during emergencies and power outages to serve the entire community at large,” Hochul said.

SUNY New Paltz's project is also significant as it is part of the state's push towards alternative energy especially as existing sources such as nuclear power plants phase out; Indian Point nuclear power plant in Buchanan closing in 2021.

Phased project



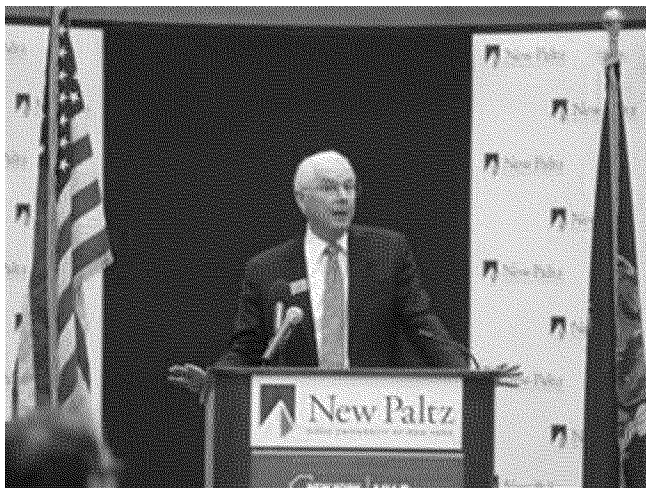
Solar panels on the roof of Elting Gym at SUNY New Paltz on April 25, 2018. (Photo: Patrick Oehler/Poughkeepsie Journal)

SUNY New Paltz's solar and battery system is part of a three-phased project with the second phase showing the benefits of the system, and the third phase focused on research and data collection. The Electric Power Research Institute, a Knoxville Tennessee based non-profit, was tapped to produce a study on the project.

Brian Pine, the SUNY New Paltz's energy management coordinator, said the timing was right given the financial backing through grants. The project received a \$580,000 from the NY Power Authority, \$189,000 from Central Hudson, \$272,000 from the New York State Energy Research and Development Authority. SUNY New Paltz is contributing approximately \$320,000.

The university is expected to save \$26,000 annually on its electric bills, NY Power Authority.

“Again what price are you going to put on emergency backup power. I mean you start adding up how much generators cost to buildings, no one ever questions the cost of a generator because everyone in our business has a generator,” Pine said.



Donald Christian, SUNY New Paltz president speaks during Wednesday's ribbon cutting for a new solar array at SUNY New Paltz on April 25, 2018. (Photo: Patrick Oehler/Poughkeepsie Journal)

SUNY New Paltz just completed a solar study to identify what buildings could be next on the list for the system. But extending the system also “depends on funding and depends on what money is available to us,” said Pine.

MID-HUDSON NEWS

Catskill Center and DEP announce Streamside Acquisition Program grant

April 25, 2018

The Catskill Center and the New York City Department of Environmental Protection announced the purchase of a two-acre parcel of land in Greene County, the first to be protected under a new program that preserves environmentally sensitive lands alongside streams, creeks and rivers.

The Streamside Acquisition Program is managed by the Catskill Center and Funded by the DEP. The program focuses on preserving lands adjacent to streams that feed New York City's reservoir system in the Catskills.

“This property is just the first of many that we will be protecting through this program,” said Jeff Senterman, executive director of the Catskill Center for Conservation and Development.

The newly protected property, on Mill Street in the Town of Windham, is forested and has 275 feet of stream frontage on a tributary of the Batavia Kill. DEP said that stream is important for the water quality entering Schoharie Reservoir, which provides about 15 percent of New York City's water during a typical year.

The property, which is now owned by the city, will eventually be opened for public recreation.

NJ SPOTLIGHT

Newark Faces Court Test over Lead Levels in Water

By Tom Johnson

April 25, 2018

Two organizations argue city supplies show nearly twice the federal-action level for the contaminant

The city of Newark and the acting commissioner of the state Department of Environmental Protection are facing a court battle over unsafe levels of lead in drinking water.

With lead levels in supplies nearly twice the federal action level for the contaminant, the Natural Resources Defense Council and Newark Education Workers Caucus yesterday announced plans to sue the government for violating the federal safe drinking-water law.

In 2017, more than 10 percent of samples collected by the Newark Water Department show lead levels in excess of 26 parts per billion (ppb), nearly double the federal action level of 15 ppb under the Safe Drinking Water Act. Approximately 20 percent of the samples exceeded the 15 ppb federal action level, according to the groups.

No exposure

Newark called the allegations false, disputing that residents are exposed to dangerous levels of lead.

“The truth is that the water supplied by the city is fully compliant with federal and state regulations,” said Andrea Adebawale, director of water for Newark. “The claimant has seriously misinterpreted the findings.”

Newark’s problems with lead in drinking water are not a new issue. Over two years ago, unsafe levels of lead were found in drinking water in more than 30 schools, leading the city to shut down drinking fountains and bring bottled water in.

“Newark’s lead levels are shockingly high. Access to safe drinking water is particularly important in low-income communities of color, where residents often face multiple sources of exposure and stressors on their health from environmental burdens,” said Sara Imperiale, an NRDC environmental justice attorney.

Lead leaching from old fixtures

In a notice of intent to sue, a procedural move, the two groups argued the city has failed to respond comprehensively to the problems that have been documented with lead in Newark’s water system. Most of the problems are due to lead leaching from old service lines or other fixtures in the water infrastructure, not the quality of water from the Newark Water Department.

“It’s unacceptable that the city and state would consider providing billions of dollars in tax breaks to welcome corporations to Newark, while failing to address health-threatening infrastructure issues like this for its residents,” said Al Moussab, a resident of Newark and the president of NEW Caucus, a group of educators who teach in Newark’s public schools.

But Adebawale argued while the city has received a violation of lead levels, it has been compliant with state and federal rules for dealing with those violations and has met all required milestones. Those include sending out public notification and educational materials.

The DEP just received the notification of intent to sue, according to Larry Hajna, a spokesman. The department continues to work closely with the Newark Water Department to ensure that all necessary steps are to address any issues of lead action-level exceedance and to bring the water system into compliance, he said.

Besides the lawsuit, the NRDC and NEW Caucus filed a complaint against the city seeking access to public records under New Jersey’s Open Public Records Act. Access to public records is essential to holding agencies accountable for providing safe drinking water to Newark’s residents, according to the groups.

Last September, 11 Newark-based community groups and national organizations sent a letter to Newark officials expressing concerns that the city had failed to comprehensively deal with the lead problems.

NJTV NEWS

[NJ first lady visits green elementary school in honor of Earth Week](#)

By Leah Mishkin

April 25, 2018

These fifth graders are lined up to welcome two special guests to their elementary school in honor of Earth Week.

“I start off by saying, ‘Good morning First Lady Murphy, good morning Commissioner McCabe, welcome to George L. Catrambone School where we are committed to making green the way to learn, play and live,” recited fifth grader Felix Serrano.

The K-5 school opened about four years ago with a strong focus on green education. In one classroom students learn about saving energy by testing temperature and lighting.

“They help come up with ways for teachers to reduce the amount of energy being used: shutting down their computers at night, turning off laptops and unplugging things for the weekend,” said teacher Kelly Stone.

The school says efforts like these helped them cut energy consumption by 40 percent, and cut utility costs by \$20,000 in the 2015 to 2016 fiscal year. Students even take what they learn home.

“Every time we finish using the room or the bathroom I tell my parents to turn the lights off so we don’t use too much energy,” said fourth grade student Maria Luisa.

In 2017, the school was awarded a green ribbon by the U.S. Department of Education for efforts like tracking energy consumption, using bottle filling stations throughout the building, eliminating the usage of plastic straws and creating their own garden.

In the cafeteria kids were eating what they planted.

“What I would teach someone watching this is to go help the environment because we could be in great danger by littering,” one student said.

In a question and answer, the elementary students asked tough questions about cleaning New Jersey’s shores. They also asked what the state is doing for clean energy, and if there was any progress on getting rid of plastic bags in New Jersey.

The first lady did hint she was in talks, and said these students give her hope for the future. The acting commissioner joked she’s waiting for them to apply to work at the DEP.

UNIVERSITY OF BUFFALO

UB tops Mid-American Conference in green power usage

By David Hill

April 25, 2018

BUFFALO, N.Y. — The University at Buffalo has had a pretty dominant year in Mid-American Conference athletic competition. Turns out, UB also leads the MAC when it comes to power of another variety.

The U.S. Environmental Protection Agency recognized UB as a conference champion in its 2017-18 College and University Green Power Challenge, the results of which were announced today. UB currently uses more green power than any other school in the MAC, according to the EPA.

In addition to its Conference Champion Award, UB is ranked No. 41 on the EPA’s Green Power Partnership National Top 100 list, also announced today.

Since April 2006, EPA’s Green Power Partnership has tracked and recognized the collegiate athletic conferences with the highest combined green power use within the program.

The Conference Champion Award recognizes the school that uses the most green power in a qualifying conference. In all, 38 conferences participated in the challenge this academic year.

UB beat its conference rivals by using more than 219 million kilowatt-hours (kWh) of green power, representing 100 percent of the school’s annual electricity use. That’s equivalent to the electricity use of nearly 21,000 average American homes annually.

Of the 38 Conference Champion Award recipients, UB had the second-highest kilowatt-hours usage, trailing only the University of Tennessee, Knoxville’s 250 million kWh.

“UB is honored to be recognized by the EPA as a conference leader in using clean, renewable energy,” said Laura Hubbard, UB’s vice president for finance and administration. “April is Sustainability Month at the university, but our commitment to making UB a more sustainable campus is a year-round effort that encompasses a variety of green power initiatives.”

UB is procuring renewable energy certificates (RECs) from 3Degrees, and is also generating green power from on and off-site solar energy systems.

These include the 3,200-panel Solar Strand and a series of panels on the roof of Norton Hall, as well as Steel Sun, the 4.5-megawatt solar power plant on the Bethlehem Steel site in Lackawanna. UB has an agreement in place with Poughkeepsie-based BQ Energy to purchase power from this solar plant.

In addition, UB is spearheading a plan to create 100 megawatts of new, locally produced solar energy to be used by several key regional anchor institutions, including the City of Buffalo and Erie County, as well as SUNY Buffalo State and SUNY Erie Community College.

UB was awarded \$1 million for the project through New York State’s Energy to Lead competition, part of Gov. Andrew M. Cuomo’s Reforming the Energy Vision initiative.

This commitment to green power demonstrates a sustainable choice that helps to reduce the negative health impacts of air emissions including those related to ozone, fine particles, acid rain and regional haze, the EPA said.

NJ.COM

Cape May ferry to join other ships in underwater graveyard in Delaware Bay

By Bill Gallo

April 24, 2018

The former ferry MV Twin Capes is getting ready for one last sailing that, if all goes according to plan, will end at the bottom of the ocean.

The vessel, which once plied the waters between Cape May and Lewes, Del., is expected to be sunk in the Atlantic Ocean sometime in May to become part of an artificial reef aimed at boosting marine life, according to a spokesman from the Delaware Department of Natural Resources and Environmental Control.

The vessel, once one of the Cape May-Lewes Ferry's fleet, will join others that make up the Del-Jersey-Land reef located at a point 26 miles in the ocean from Cape May, Indian River, Del., and Ocean City, Md.

The ferry was declared surplus in 2010 by its operator, the Delaware River and Bay Authority.

The 320-foot long Twin Capes was last used for passenger and vehicle service in 2013. Unable to sell the vessel to another ferry service, the DRBA decided to let it be used for the reef.

"We're pleased to be able to partner with DNREC on this worthwhile environmental project," said Heath Gehrke, director of ferry operations at the time the DRBA announced the ferry would be used for the reef. ".... For us, it made sense to partner with DNREC on this artificial reef project to benefit the divers and sport fishermen of Delaware, New Jersey, and Maryland."

According to a DNREC spokesman, the sinking is weather-dependent. A 72-hour-window with calm weather is needed to bring the ferry from the Virginia Beach, Va., shipyard where it is being prepared for the sinking to the waters above the reef site.

The Twin Capes will receive a final inspection by representatives from the Environmental Protection Agency before the go-ahead is given to tow it to the reef area.

The reef area includes many vessels. Among them are the former U.S. Coast Guard cutter Tamaroa, which was featured in the book and movie, "The Perfect Storm," which was sunk in May 2017.

Also there is the U.S. Navy destroyer USS Arthur W. Radford. The Radford was sunk on Aug. 10, 2011.

Reports say the reef has been a success at attracting and providing habitat for marine life and fishermen, especially, have reaped the rewards with catches of a wide variety of fish, even sharks.

The Twin Capes was sold to DNREC for \$200,000. After it was out of service, the ferry was taken from the Cape May terminal to Coleen Marine of Virginia Beach, Va.,

An estimated \$230,000 of items were expected to be salvaged from the vessel, officials said. Other items were warehoused for future use on some of the remaining three vessels in the Cape May-Lewes Ferry fleet.

Built in 1974, the Twin Capes could carry 895 people and 100 vehicles.

The Cape May-Lewes Ferry fleet once had five vessels, but declining ridership has now left it with just three.

An exact date for the Twin Capes sinking has yet to be set, officials said.

National News

Wall Street Journal

EPA Wants New Rules to Rely Solely on Public Data

By Heidi Vogt, 4/24/18, 5:39 PM

WASHINGTON—The Environmental Protection Agency plans to restrict research used in developing regulations, the agency said Tuesday, a change that could affect rules governing everything from household products to power-plant emissions.

The proposal follows years of complaints by conservatives that regulations such as emissions restrictions under the Obama administration sometimes went beyond what science could prove. The new proposal would exclude the many research studies that don't make their raw data public and limit the use of findings that can't be reproduced by others. The EPA said this would boost transparency.

The proposal is subject to a public-comment period of at least 30 days and is likely to see legal challenges, which could delay or prevent its implementation.

"When you have studies that you actually publish from third parties, but you don't publish the methodology, and you don't publish the data, you only publish the conclusions, that presents problems to those that want to offer comment on the veracity, the authenticity, the ability to assess and evaluate the conclusions that have been drawn," Administrator Scott Pruitt said before signing the proposed rule.

The move prompted an uproar from scientists who say it would exclude so much research that the resulting rules would endanger Americans' health. Ahead of the announcement, a coalition of 985 scientists issued a statement decrying the plan.

"This proposal would greatly weaken EPA's ability to comprehensively consider the scientific evidence," they said in a letter issued Monday. The group said the EPA has long been very transparent in explaining the scientific basis for decisions and that requiring public data would exclude essential studies that involve proprietary information or confidential personal data.

"EPA can only adequately protect our air and water and keep us safe from harmful chemicals if it takes full advantage of the wealth of scientific research that is available to the agency," the letter added.

The rule follows previous moves by Mr. Pruitt to limit the influence of the scientific community at the EPA. Last year, he blocked any scientists who receive EPA funding from participating in federal advisory committees.

The move comes as Mr. Pruitt has found himself increasingly embattled in recent weeks, amid accusations of misuse of government funds. That has led to speculation that President Donald Trump might dismiss him, even as the EPA chief has actively pursued actions that back Mr. Trump's deregulatory agenda.

Mr. Pruitt's supporters made clear that lessening regulation is also an impetus for this rule.

"Administrator Pruitt's decision to bring science into the sunlight spells the end of junk science, which has fueled overregulation by the EPA for years," said Steve Milloy, a Trump EPA transition team member who was instrumental in designing the rule.

Many businesses have backed the new rule. The Chamber of Commerce said it would ensure that the agency is using scientifically sound and unbiased research.

Mr. Pruitt's rule is similar to legislation that has repeatedly failed to pass Congress. The administrator made his announcement flanked by two lawmakers who introduced that legislation: Sen. Mike Rounds (R., S.D.) and Rep. Lamar Smith (R., Texas).

Mr. Smith has argued that confidential data such as patient records could be redacted or given only to those who agree to keep it confidential.

Scientists have said this sort of process would still exclude many studies and make others costly to use in regulation. Gretchen Goldman, research director for the Center for Science and Democracy, has said studies are already rigorously reviewed by scientific journals and that those peer reviews rarely require raw data to assess the science.

Richard Denison, lead scientist at the Environmental Defense Fund, said the rule could exclude studies that track real-life situations that it would be unethical to reproduce. He gave as an example the monitoring of the Deepwater Horizon oil spill in the Gulf of Mexico in 2010.

“The only way to reproduce that work would be to stage another such oil spill, clearly nonsensical,” he said in a statement.

As for providing all the raw data, Mr. Denison said that would prevent the use of medical records that must be kept confidential by law.

The American Association for the Advancement of Science—the world’s largest general scientific society and the publisher of the journal Science—said the rule would also exclude many studies that rely on outside funders, because they sometimes limit access to the underlying data.

“This proposal appears to be an attempt to remove valid and relevant scientific evidence from the rule-making process,” Rush Holt, a former Democratic congressman who is now chief executive of the organization, said in a statement.

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Reuters

<https://www.reuters.com/article/us-usa-epa-science/u-s-environment-agency-proposes-limits-to-science-used-in-rulemaking-idUSKBN1HV2DJ>

U.S. environment agency proposes limits to science used in rulemaking

By Valerie Volcovici, 4/24/18, 1:32 PM, Updated 8:00 PM

WASHINGTON (Reuters) - The U.S. Environmental Protection Agency proposed a rule on Tuesday that would limit the kinds of scientific research it can use in crafting regulations, an apparent concession to big business that has long requested such restrictions.

Under the new proposals, the EPA will no longer be able to rely on scientific research that is underpinned by confidential medical and industry data. The measure was billed by EPA Administrator Scott Pruitt as a way to boost transparency for the benefit of the industries his agency regulates.

But scientists and former EPA officials worry it will hamstring the agency’s ability to protect public health by putting key data off limits.

“The science that we use is going to be transparent, it’s going to be reproducible,” Pruitt told a gathering at the EPA.

“It’s going to be able to be analyzed by those in the marketplace, and those that watch what we do can make informed decisions about whether we’ve drawn the proper conclusions or not,” said Pruitt, who has been pursuing President Donald Trump’s mission to ease the regulatory burden on business.

The EPA has for decades relied on scientific research that is rooted in confidential medical and industry data as a basis for its air, water and chemicals rules. While it publishes enormous amounts of research and data to the public, the confidential material is held back.

Business interests have argued the practice is tantamount to writing laws behind closed doors and unfairly prevents them from vetting the research underpinning the EPA’s often costly regulatory requirements. They argue that if the data cannot be published, the rules should not be adopted.

But ex-EPA officials say the practice is vital.

“Other government agencies also use studies like these to develop policy and regulations, and to buttress and defend rules against legal challenges. They are, in fact, essential to making sound public policy,” former EPA Administrator Gina McCarthy and former assistant administrator for air and water Janet McCabe wrote in an op-ed in the New York Times last month.

The new policy would be based on proposed legislation spearheaded by the chairman of the House of Representatives Science Committee, Lamar Smith, a Republican who rejects mainstream climate change science.

Emails obtained through a public records request last week showed that Smith and his staff met with Pruitt's staff in recent months to craft the policy. Those emails also showed that Pruitt's staff grappled with the possibility the policy would complicate the chemicals industry, which submits reams of confidential data to EPA regulatory programs.

Pruitt's proposal "ensures that data will be secret no more," Smith said in remarks introducing Pruitt at the EPA gathering. "For too long the EPA has issued rules and regulations based on data that has been withheld from the American people."

But a letter signed by 985 scientists on Monday said the proposal would "greatly weaken" the agency's ability to consider all the scientific information needed to form rules and implored Pruitt not to go through with the restrictions.

The proposal will be open for a 30-day comment period and would have to be finalized before entering into force.

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Washington Times

<https://www.washingtontimes.com/news/2018/apr/24/scott-pruitt-pushes-forward-controversial-plan-tha/>

Pruitt pushes forward controversial plan that requires scientific studies to be fully transparent

By Ben Wolfgang, 4/24/18

Even as he faces increasing pressure within his own party to resign, Environmental Protection Agency Administrator Scott Pruitt pressed ahead Tuesday with yet another highly controversial policy move — this time to change how the agency uses science in its rule making.

Mr. Pruitt's proposal, which will be open for public comment for 30 days before becoming official, would require that any scientific studies used as justification for federal regulations be fully transparent, and that the underlying data and methodology in those studies must be made public.

"The era of secret science at EPA is coming to an end," Mr. Pruitt said in a statement. "The ability to test, authenticate, and reproduce scientific findings is vital for the integrity of rule making process. Americans deserve to assess the legitimacy of the science underpinning EPA decisions that may impact their lives."

The move — which was immediately panned by many scientists, environmentalists and Democrats who said it could invalidate old reviews for which data aren't available, and could force researchers to reveal personal information about participants in health studies, for example — comes as the political storm around Mr. Pruitt continues to grow.

Prominent Republicans on Capitol Hill are now calling on the agency chief to appear before Congress and answer questions about a host of ethical controversies, including Mr. Pruitt's \$50-per-night condo rental from the wife of a prominent energy industry lobbyist.

In recent days, it was revealed that Mr. Pruitt met with that lobbyist, Steven Hart, last July to discuss matters before the EPA, fueling serious concerns about conflicts of interest and speculation the administrator got a sweetheart deal in exchange for regulatory relief on the oil and gas industry.

In addition, Mr. Pruitt has faced criticism over his use of first-class travel at taxpayer expense, a pricey private security detail, efforts to silence those within the agency who disagree with him.

Republicans who had been highly supportive of Mr. Pruitt seem to be slowly changing their tune. Sen. James M. Inhofe, Oklahoma Republican and member of the Senate Environment and Public Works Committee, said the EPA chief should appear before the panel and address his growing list of ethical questions.

"I think that a couple of us on the committee think it's appropriate to have a hearing in so far as any accusation having to do with his office is concerned," Mr. Inhofe, a vocal supporter of the administrator, told Politico.

At least four congressional Republicans have explicitly called on Mr. Pruitt to step down. Rep. Frank LoBiondo of New Jersey

became the latest on Sunday.

“Yes EPA Administrator Scott Pruitt should resign. Wrong fit from start for agency dedicated to protecting our environment,” he tweeted. “#EarthDay2018 reinforces our need to promote pristine planet via clean air & water, leaving it better for future generations. Requires leadership & balance.”

Mr. Pruitt already is scheduled to appear before two separate House panels on Thursday to discuss the agency’s budget, though he’ll certainly be peppered with questions about his conduct.

Meanwhile, the administrator has tried in recent weeks to keep the focus on policy, and Republicans and business groups praised his “secret science” order Tuesday.

“The American people should have access to the data the government uses to justify its regulations. It’s not enough for the government to say ‘trust us.’ For that reason, we applaud EPA’s policy reforms to ensure that the studies and data used to formulate and justify rule makings are clearly identified and available for review — a concept that shouldn’t be controversial,” said Dan Byers, vice president of the Global Energy Institute at the U.S. Chamber of Commerce.

Opponents of the move say it will greatly limit the amount of scientific research allowed inside the EPA, and that the government already is remarkably transparent with its underlying data.

“The one thing that is humming along at an alarming rate is the systematic dismantling of the EPA and environmental regulations by the current administration,” said Neil Donahue, a professor of engineering and public policy at Carnegie Mellon University. “The EPA’s idea of imposing new restrictions on scientific studies used to develop and justify regulations would be inherently damaging. The drive for more open and complete access to data is growing, but that in no way means that prior findings are being thrown out or ignored because the data are not fully available.”

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Politico

<https://www.politico.com/story/2018/04/24/pruitt-unveils-controversial-new-science-policy-501612>

Pruitt scales back EPA’s use of science

By Emily Holden and Annie Snider, 4/24/18, 3:28 PM

Environmental Protection Agency chief Scott Pruitt announced Tuesday he would seek to bar the agency from relying on studies that don't publicly disclose all their data, a major policy change that has long been sought by conservatives that will sharply reduce the research the agency can rely on when crafting new regulations.

The unveiling of the proposed rule delivers a win to Republicans like House Science Chairman Lamar Smith (R-Texas), who unsuccessfully pushed legislation to impose the same type of change. The move also demonstrates Pruitt’s persistence in pursuing President Donald Trump’s anti-regulation agenda just two days before the embattled EPA chief is due to face fierce questioning from lawmakers about his hefty spending, expanded security detail and cheap condominium rental from the wife of an energy lobbyist.

At an invitation-only meeting at EPA headquarters with Smith, Sen. Mike Rounds (R-S.D.) and other supporters of the policy, Pruitt said the proposed rule was critical in ensuring that the agency was transparent about how it is making decisions to justify costly new regulations. It is the latest step Pruitt has taken to fundamentally shift the agency’s approach to science.

"It is a codification of an approach that says as we do our business at the agency the science that we use is going to be transparent, it’s going to be reproduceable, it’s going to be able to be analyzed by those in the marketplace. And those who watch what we do can make informed decisions about whether we’ve drawn the proper conclusions or not,” Pruitt said.

Text of the proposed rule was not immediately available. ([*Politico later posted a one-line article linking to the document](#)).

The proposal, based on legislation pushed by Smith, is intensely controversial, and scientists and public health groups say it will prevent federal regulators from enacting health and safety protections. Nearly 1,000 scientists, including former EPA career staffers, signed a letter opposing the policy sent by the Union of Concerned Scientists to Pruitt on Monday.

Their primary concern was that many of the country's bedrock air and water quality regulations are based on research that cannot disclose raw data because it includes the personal health information.

But industry has its own version of the same problem. EPA often relies on industry studies that are considered by companies to be confidential business information when determining whether new pesticides and toxic chemicals are safe to use. Internal EPA emails obtained under the Freedom of Information Act show that EPA political officials, including Nancy Beck, who became the chief of the agency's chemical safety office last year after working for years at a chemical industry lobbying group, worried that the new policy would limit the agency's ability to consider industry data or would force companies to make this proprietary data public.

"We will need to thread this one real tight!" Richard Yamada, political official who led work on the new policy wrote to Beck after she raised the concerns.

It was not immediately clear if the new proposed rule included measures to address those concerns.

Rush Holt, CEO of the American Association for the Advancement of Science, said Pruitt's changes could keep the agency from revising public health regulations as problems arise or new data comes to light.

"On the surface it sounds so innocuous or even beneficial. What could be wrong with transparency? Well it's clear to me that this is not based on an effort to be transparent. It is rather based on an effort to be just the opposite," he said.

"EPA is particularly important because when science is misused, people die," he added.

Pruitt has been discussing the new scientific policy publicly for weeks, but it only went to the White House for interagency review last week. Such swift review is very rare for the Office of Management and Budget, which often takes months to vet a new policy. At least one group, the Environmental Defense Fund, has requested a meeting with OMB officials to discuss the rule, but OMB's website shows that no meetings have been scheduled with interested groups.

Many public health studies can't be replicated without exposing people to contaminants, and environmental disasters such as the Deepwater Horizon oil spill cannot be recreated, the group said, raising intellectual property, proprietary and privacy concerns.

Pruitt's predecessor Gina McCarthy, and her air chief Janet McCabe, in an op-ed in The New York Times in March said concerns about studies are dealt with through the existing peer-review process, which ensures scientific integrity.

"[Pruitt] and some conservative members of Congress are setting up a nonexistent problem in order to prevent the E.P.A. from using the best available science," they said.

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Bloomberg

<https://www.bloomberg.com/news/articles/2018-04-24/pruitt-proposes-limits-to-scientific-research-used-by-epa-staff>

Pruitt Proposes Limits to Scientific Research Used by EPA Staff

By Eric Roston, 4/24/18, 4:02 PM

The U.S. Environmental Protection Agency broke with four decades of practice Tuesday and proposed limits on the science used to develop policies protecting public health and the environment.

The measure, backed by conservatives and some advisers to President Donald Trump who have warned of "junk science," would prevent the EPA from considering scientific research unless all methodological, technical and other information is publicly available. But critics fear the move would exclude such research as public-health studies containing anonymized patient data.

EPA Administrator Scott Pruitt, speaking in the agency's Rachel Carson green room, said before signing the proposal that it addresses what he characterized as a deficit of transparency in the federal rule-making process.

"I've found sometimes that common sense is not too common at the agency," Pruitt said, adding that he has tried to eliminate conflicts of interest among EPA-funded researchers advising the agency. He said he is attacking the issue with the strongest means

at his disposal: "This is not a policy. This is not a memo. This is a proposed rule."

Seven Democratic senators wrote Pruitt a letter Tuesday saying that the policy, which will have a 30-day public comment period, is probably illegal. Led by Delaware's Tom Carper, the lawmakers requested more information about the proposal, which they say would direct the agency to ignore the "best available science," a court-back standard for ensuring regulators consider evidence.

"Your proposed new policy likely violates several laws with which EPA must comply as the agency writes rules to protect our air, water and land from harmful pollution," they wrote.

Opponents charge that Pruitt is offering an antidote -- transparency -- to what are global, well-functioning, time-tested practices for conducting science. "[D]on't be fooled by this talk of transparency. He and some conservative members of Congress are setting up a nonexistent problem in order to prevent the EPA from using the best available science," wrote Gina McCarthy, Pruitt's predecessor at EPA, and former Acting Assistant Administrator Janet McCabe in a New York Times op-ed on March 26.

"It's a perfect catch-22," Andrew Rosenberg, director of the Union of Concerned Scientists Center for Science and Democracy, said. "You must protect the public health, but you can't use public-health science to do it. Therefore, you don't protect the public health," he said.

Pruitt's proposal is not the first time Republicans have put such a policy forward. The most recent legislative attempt was the HONEST Act, which was sponsored by Representative Lamar Smith of Texas and passed the House in March 2017. The previous version, the EPA Secret Science Reform Act of 2015, would have cost the EPA \$250 million, according to the Congressional Budget Office.

"For far too long EPA's research and analysis has been highly questionable and often unverifiable. Sadly, this flawed, politically motivated research has played a key role in directing EPA's policies and regulations for many years," said Steve Forbes, chairman and editor-in-chief of Forbes Media, and honorary chairman of Americans for Hope, Growth and Opportunity.

Nearly 1,000 scientists, led by former EPA researchers, on Monday issued a letter calling Pruitt's and like-minded lawmakers' push for better reproducibility and transparency in science "phony issues that weaponize 'transparency' to facilitate political interference in science-based decision-making."

A draft white paper by the Environmental Protection Network, a group of former agency employees, said that the policy would damage federal programs that control pesticides and toxic chemicals, clean up Superfund sites and reduce air pollution. "Such a policy would be illegal," they write.

The science policy shift comes at a time of increasing scrutiny for Pruitt, who has drawn attention for removing EPA-funded scientists from advisory panels while leaving in place industry executives who benefit from lighter regulation, for travel and real-estate choices and for building a private booth in his office that the General Accountability Office found was in violation of spending laws.

Stephan Lewandowsky, a University of Bristol cognitive psychologist, has said that the phrase "secret science" was coined two decades ago to discredit research linking health risks from smoking. A policy memo to a tobacco executive from 1996, reported by The Intercept last year, laid out a strategy "to construct explicit procedural hurdles" for the agency's scientific reports.

Steve Milloy is the publisher of JunkScience.com, a website that criticizes what he calls the misuse of science by special interests. Milloy wrote in March that he has worked on the topic for more than 20 years. Before Pruitt's announcement a spokesman for Milloy issued a release emphasizing his influence in debates. "Much to Administrator Scott Pruitt's credit, the Trump EPA has decided to end the use of such 'secret science' as a basis for regulatory actions that have harmed our economy, put companies out of business and harmed consumers," according to the statement.

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NPR

<https://www.npr.org/sections/thetwo-way/2018/04/24/605341791/pruitt-proposes-new-rule-defining-what-science-can-be-used-by-epa>

Pruitt Proposes New Rule Defining What Science Can Be Used By EPA

The head of the Environmental Protection Agency, Scott Pruitt, has proposed a new rule that restricts scientific research that can be used by the agency for its regulatory decisions.

The proposed rule only allows the use of studies that make all data publicly available for anyone to analyze. Pruitt proposed the new rule as a way to make the agency's decision-making more "transparent, objective and measurable."

"The American people ought to be able to have confidence, assurance, that the findings, the record that we build ... can be assessed, it can be evaluated, it can be analyzed," Pruitt said.

The Heartland Institute, a conservative think-tank, has commended Pruitt on the rule. "For decades, the EPA has improperly claimed massive power to regulate nearly every aspect of our economy and lives. It is long overdue that the EPA should make such data and collection methods available for public review and analysis," Tim Heulskamp, the think tank's president said in a statement.

But several scientific organizations have expressed concerns. "Our concern with this is they are quite literally limiting the best available science that can be used by the EPA," says Sean Gallagher, the senior government relations officer for the American Association for the Advancement of Science.

The EPA's regulatory decisions are often based on epidemiological studies looking at the potential health effects of pollutants, like pesticides and particulate matter. "Those studies involve people like you and me, signing confidentiality agreements that the scientists doing the studies won't reveal my personal health information, like my vital statistics, or my death certificate, if I die during the course of the study," says Gallagher. "This is the kind of science that the EPA relies on, whether it looks at chemicals or particulates and their mortality or health effects. It involves private data."

And this private data can't be made public, he says. And so, it limits the studies available to the agency for any decision-making, he adds.

"It would not help make the science any more transparent," says Andrew Rosenberg, of the Union of Concerned Scientists, an advocacy group representing scientists.

When he proposed the new rule, Pruitt talked about a "replication crisis," referring to scientific studies that can't be reproduced. But that crisis applies more to the field of clinical trials, says Rosenberg, where new drugs are being tested for their efficacy.

"That's very different from what the EPA does," he adds. The agency often relies on studies that involve long-term surveys of exposure to certain environmental pollutants and associated health effects. "What are you supposed to do? Go back in time in five years and redo the survey? That's really a false flag."

The new rule would only restrict the science used by the agency and limit the agency's ability to protect public health, he says. It could affect the agency's ability to protect the public from everything from air and water pollutants to household products.

"The scientific process is [already] incredibly transparent," says Gallagher. "It's evidence-based, it follows the facts where they go. It tries to root out bias."

"The agency should be able to use all good, peer reviewed, scrutinized studies," he adds. "It shouldn't be limiting the science."

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The Hill

<http://thehill.com/policy/energy-environment/384636-pruitt-signs-proposed-rule-to-erase-secret-science-from-agency>

Pruitt signs proposed rule to erase 'secret science' from EPA

By Miranda Green, 4/24/18, 2:40 PM

Environmental Protection Agency (EPA) Administrator Scott Pruitt signed a rule proposal Tuesday aimed at increasing "transparency" in science all while limiting reporter, environmentalist and scientist access to the event.

The proposal, signed at EPA headquarters, aims to expose the methodology behind scientific findings and cut back on what Pruitt has deemed "secret science."

Speaking in front of a number of well-known climate change skeptics including the Competitive Enterprise Institute's Myron Ebell, Pruitt announced that the new rule would require science to "be transparent, reproducible and able to be analyzed by those in the marketplace." Reporters were not invited to attend the event, and details surrounding the announcement and rule proposal were kept secret until 30 minutes before the EPA's Twitter account announced it would be live-streamed.

Pruitt said the new ruling shows "an agency taking responsibility for how we do our work, in respecting process ... so that we can enhance confidence in our decision making." He also dubbed the current process which had, until now, allowed science to be peer reviewed rather than open to public scrutiny, "simply wrong headed."

The rule will replicate, through agency action, two bills previously introduced in the House and Senate meant to restrict the kind of science the EPA can use when writing regulations.

The House bill authored by Rep. Lamar Smith (R-Texas), now called the Honest and Open New EPA Science Treatment Act, would mandate all scientific data and findings be made publicly available before they are used to justify agency regulations. Versions of Smith's bill passed the GOP-controlled House three times, but the Senate hasn't taken it up.

Last week, internal documents released by a Freedom of Information Act request by the Union of Concerned Scientists found that EPA political staffers have been working for months in conjunction with Smith and his staff to mimic the bill.

Speaking at the event Tuesday, Smith thanked Pruitt for being a "courageous leader" of the agency and blamed the "liberal media and alarmist environmental groups," for finding negatives in his legislation.

"For too long, EPA has withheld data that has been hidden from the American people," Smith said.

Opponents of the new rule say it would limit the number of available scientific studies that could be used by the agency in its rulemaking, namely by excluding a number of public health studies.

Timed with Pruitt's announcement, seven Democratic Lawmakers sent a letter to Pruitt on Tuesday denouncing the new policy. The letter, led by Sen. Tom Carper (D-Del.), tells Pruitt, "Your proposed new policy likely violates several laws with which EPA must comply as the agency writes rules to protect our air, water and land from harmful pollution."

The lawmakers said Pruitt's new policy likely would run afoul of a number of laws that mandate rulemaking be based on the "best available science ... because it would require EPA to ignore some of the 'best' scientific studies."

"Courts have explained that 'best available science' means that agencies 'should seek out and consider all existing scientific evidence relevant to the decision' and 'cannot ignore existing data,' " the letter read.

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Washington Post

https://www.washingtonpost.com/news/answer-sheet/wp/2018/04/25/this-letter-signed-by-985-scientists-explains-why-epa-chiefs-new-move-could-harm-your-health/?utm_term=.93250cdd45dc

This letter, signed by 985 scientists, explains why EPA chief's new move could harm your health

By Valerie Strauss, 4/25/18, 2:09 AM

Scott Pruitt, the administrator of the Environmental Protection Agency, just signed a proposed rule that sounds like it is expanding transparency in research but actually will limit the scientific research that can be considered when the EPA writes regulations and could weaken protections Americans now have from air pollution, toxic chemicals and other health risks.

In the letter, 985 scientists from around the United States — including former EPA scientists — urged Pruitt not to go through with this restriction, and they explain the damage that it could do to the health of Americans. The letter was made public by the Union for Concerned Scientists.

“There are ways to improve transparency in the decision-making process, but restricting the use of science would improve neither transparency nor the quality of EPA decision-making,” they wrote. “If fully implemented, this proposal would greatly weaken EPA’s ability to comprehensively consider the scientific evidence across the full array of health studies.”

The move by Pruitt, which has been sought by conservatives and industries including coal and fossil fuels, is the latest in his efforts to reverse years of EPA protections of the environment and underscores the Trump administration’s continuing war on science.

The administration has appointed people without scientific credentials to important positions and cut funding for environmental and scientific programs. It has also sought to restrict what science-based agencies within the government can say publicly and has told some employees not to use phrases such as “climate change.” Trump has said that he believes human-caused climate change is a hoax.

Read the letter, which is just one of a number of efforts by scientists to fight Pruitt on this:

**letter embedded in site.*

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E&E News PM

<https://www.eenews.net/eenewspm/stories/1060079975/search?keyword=EPA>

EPA critics sound off about proposed rewrite of 2015 rule

By Sean Reilly, 4/24/18

As EPA embarks on a potentially weighty rewrite of its 2015 coal ash disposal regulations, critics delivered a largely similar message at the start of a public hearing this morning: Don't.

"What are you doing? Have you lost your mind?" asked Lee McCarty, mayor of the central Alabama town of Wilsonville, who blames an Alabama Power Co. coal ash pond for contaminating the area's groundwater.

If EPA persists with the proposed changes, McCarty said, the agency's name should be changed to UPA — "Utilities Protection Agency."

To the Rev. Tony Pierce of Peoria, Ill., the 2015 regulations should have been stronger but are at least preferable to the changes the agency is now seeking.

"Why now does EPA want to do away with such common-sense standards?" asked Pierce, the board president of Illinois People's Action, an advocacy group. "President Trump's attempt to weaken this rule is nothing more than a total giveaway to this industry and must be rejected."

The EPA proposal, released early last month, would make an array of changes to the densely technical regulations governing storage and disposal of coal ash, the waste produced in large quantities by coal-fired power plants. While EPA classified the waste as nonhazardous, the agency has acknowledge that lead, arsenic and other toxins can leach out at "levels of concern."

Among other possible changes, states could get a green light to create alternative requirements for addressing contaminant releases from coal ash ponds and landfills, according to an EPA summary.

The agency is also looking into the possibility of changing current location restrictions for coal ash disposal sites in some areas and exploring whether existing deadlines for groundwater monitoring and analysis "remain appropriate in light of new legal authorities and potential regulatory changes," according to a summary.

While EPA spent years assembling the landmark rule issued in 2015, the utility industry argues that changes are now needed because of passage of a 2016 law giving states the leeway to create their own permitting programs that could have different standards as long as they are at least as protective as EPA's.

While some speakers at the hearing expressed doubts about state regulators' willingness or ability to adequately enforce coal ash safeguards, Jim Roewer, executive director of the Utility Solid Waste Activities Group, expressed confidence in EPA.

"EPA's direct enforcement authority will serve as a check on any abuse of such flexibility," he said.

Roewer's trade group petitioned EPA last year to revisit the 2015 rule in light of the state permitting option. Of the first 20 speakers at the hearing, Roewer was the only one to offer unequivocal support for the proposed changes.

More than 90 people had preregistered to speak at the hearing, being held at a hotel in Arlington, Va., a few miles from EPA's Washington headquarters. The deadline for written comments on the proposed rule is April 30.

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AP

<https://apnews.com/76387a56422b4c22a4ff3516f61116d8/Environmentalists-dump-on-proposal-for-weaker-coal-ash-rules>

Environmentalists dump on proposal for weaker coal ash rules

By Matthew Barakat, 4/24/18

ARLINGTON, Va. (AP) — Dozens of environmentalists and others are speaking out against a proposal from the Environmental Protection Agency that would roll back regulations governing the disposal of ash generated by coal-burning power plants.

The EPA held its one and only public hearing about the proposal Tuesday at an Arlington, Virginia, hotel. The Trump administration says the new rules could save utilities \$100 million annually in compliance costs and give states more flexibility in enforcement.

Environmental groups, though, say coal ash can pose significant risks to a clean drinking water supply if it is disposed of improperly and leaches into the groundwater or spills into rivers. They say regulations imposed at the end of the Obama administration are just now taking practical effect and should be allowed to continue.

Testimony Tuesday tilted heavily toward opposition. One activist sang her opposition in the form of an ode to clean drinking water.

Frank Holleman with the Southern Environmental Law Center testified Tuesday that even in southern states where President Donald Trump is personally popular, communities and citizens want to maintain strong regulation of coal ash.

"I have never heard a community ask for less protection from coal ash," he said. "Instead, communities throughout the South have asked for more protection. ... There is no call at the local level for this watering down of coal ash protections — these proposals are purely a creation of the Washington special interests."

After the hearing, he said the Trump administration's plan to roll back coal ash regulations are just one prong in a broad attack by the current EPA administrators on environmental protections on behalf of industry.

U.S. coal plants produce about 100 million tons annually of ash and other waste, much of which ends up in unlined disposal ponds prone to leak. Coal ash storage and disposal went largely unregulated until a 2008 spill at a power plant in Kingston, Tennessee, dumped waste into two nearby rivers.

In Virginia, electric supplier Dominion Energy is being scrutinized for how it plans to dispose of coal ash generated by its plants.

In a statement, the company said Tuesday that even if the EPA rolls back the federal regulations, it still must comply with state regulations that it views as stricter than the federal standards now in place.

"If the rule changes in the future, Virginia would have to revise its rule for any changes to apply at Virginia locations," the company said.

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Daily Caller

<http://dailycaller.com/2018/04/25/epa-leaks-biofuels-industry-scott-pruitt/>

Republicans Claim EPA Leaks Are Starting To Seriously Harm Biofuels Industry

By Chris White, 4/25/18, 2:25 PM

Republican lawmakers are calling on EPA Administrator Scott Pruitt to more diligently protect the business information of small refiners from being leaked to media outlets.

Republican Sens John Barrasso of Wyoming and Shelley Moore Capito of West Virginia are demanding Pruitt crackdown on leaks within his agency that harm small oil refiners, they argue. Both lawmakers have warned Pruitt in a March 5 letter about how leaks can compromise energy markets.

“We urge you, again, to ensure your staff and contractors do not disclose to any outside parties the confidential and other sensitive information of small refineries that petition for hardship relief,” they wrote in a letter Wednesday to Pruitt. Barrasso cited one April 3 Reuters article that used two anonymous sources to report the agency is giving select refiners waivers.

“Disclosure of this information would not only compound the harm to small refineries but may move markets for renewable identification numbers (RINs) and publicly traded companies,” the letter noted, referring to fees refiners must pay to opt out of the agency’s renewable fuel standard (RFS). Some refiners cite the RFS as one of the main culprits for a slew of bankruptcies within the industry.

For instance, low oil prices and high cost of complying with the program forced them into Chapter 11 bankruptcy, Philadelphia Energy Solutions argued in January. Energy Transfer Partners’ Sunoco rescued the company from financial distress six years ago.

The beleaguered refiner secured access to \$260 million in new financing and said it expected the bankruptcy filing to have no immediate impact on its employees, according to a January report from Reuters based on an internal memo from Philadelphia Energy Solutions. A spokeswoman for the company has not responded to reporters’ requests for comment.

Philadelphia Energy Solutions has plowed more than \$800 million since 2012 on credits to comply with the law, which the EPA administers and requires refiners to blend biofuels into the nation’s fuel supply every year. The mandate is the company’s biggest expense, according to the memo.

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Star Tribune

<http://www.startribune.com/farmers-ethanol-producers-see-epa-waivers-as-attack/480751761/>

Minnesota farmers, ethanol producers see EPA waivers as attack

By Jim Spencer and Mike Hughlett, 4/24/18, 10:36 PM

WASHINGTON – Brian Thalmann has been selling corn for ethanol for two decades. In that time the farmer from Plato, Minn., says he has never seen an attack on renewable fuel like the one currently underway by the U.S. Environmental Protection Agency (EPA).

Using a secretive process, EPA Administrator Scott Pruitt has increased the issuance of waivers to small oil refineries, absolving them from meeting federal standards that require blending ethanol with gasoline. Corn farmers and ethanol producers across Minnesota, fearing a financial hit, are crying foul.

“It’s kind of an ironic twist that you have an administrator of the Environmental Protection Agency pushing back a product that helps the environment,” said Thalmann who, like many Minnesota corn growers, relies on sales to ethanol plants as a critical source of income.

Sensing a threat to the ethanol program, a bipartisan group of Midwestern U.S. senators, including Minnesota Democrats Amy Klobuchar and Tina Smith, have called on Pruitt to stop handing out ethanol waivers and reveal who has gotten waivers and why. U.S. Rep. Collin Peterson, D-Minn., ranking member on the House Agriculture Committee, sent a letter to President Donald Trump, asking him to stop Pruitt.

Farmers and ethanol producers in Minnesota say the waiver controversy is the latest battle in a long-running war for sales and market share between the oil and renewable fuel industries. The renewable fuel standard (RFS) has been controversial since its inception in 2005. Free marketers and the oil industry see it as an anti-competitive government mandate. Anti-poverty groups have

charged that it encourages farmers to produce less food for people. Some environmentalists are skeptical of the ethanol industry's green credentials.

But Trump's 2017 appointment of Pruitt to lead the EPA has brought things to a head, given Pruitt's past ties to the oil industry and his criticism of the ethanol program.

The EPA will not confirm the total number of gallons of ethanol Pruitt has exempted from production so far this year. Trade groups for farmers and biofuel producers believe it could already be at least 1.6 billion gallons. If Pruitt continues on that pace, it could significantly undercut 2018's 15 billion gallon national production mandate, ethanol producers say.

"The criteria used to grant waivers has not changed since previous administrations," EPA spokeswoman Liz Bowman said in an e-mail to the Star Tribune. "EPA follows a long-standing, established process where the agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold."

The EPA says it has granted 25 waiver requests so far this year, and applications for more production waivers continue to arrive.

Klobuchar called the 25 waiver figure "unbelievable."

"It used to be like six or seven of these a year from what we understood," she said.

"You want to give agencies some flexibility to help in unique business situations," Klobuchar said. But Pruitt is taking that authority "and driving an oil tanker through it."

Smith said Pruitt looks to be playing favorites. "Mr. Pruitt is giving his fossil fuel friends a huge advantage over family farmers in Minnesota," she said in an e-mail to the Star Tribune.

Tim Rudnicki, executive director of the Minnesota Bio-Fuels Association, called the situation an attempt by Pruitt "to eviscerate the law."

And at Denco II, a biofuel facility in Morris, Minn., which produces 30 million barrels of ethanol per year, General Manager Mick Miller accused Pruitt of "handing out waivers like trick-or-treat candy behind closed doors in a way that seems unethical."

The waivers allow distressed refineries that produce fewer than 75,000 barrels per day of fuel to forgo either blending ethanol, or buying credits in lieu of blending. But in addition to saving small oil refiners from economic hardship, Pruitt has reportedly been granting ethanol production waivers to small refineries owned by big oil companies.

San Antonio-based Andeavor, a company which in 2017 earned more than \$1.7 billion on \$35 billion in revenue, won waivers for three of its smaller refineries, including two in North Dakota, Reuters reported earlier this month. Andeavor, formerly known as Tesoro, owns a refinery in St. Paul Park, but that facility is too large to be eligible for an exemption.

Citing unnamed sources, Reuters has also reported that large oil companies — including ExxonMobil and Chevron — have applied for waivers for smaller refineries.

"It's an abuse," Rudnicki said. "I'd like somebody to explain to me how Exxon and Chevron can be small refiners. They are among the largest oil companies on the globe."

Patrick Kelly, senior policy adviser for the American Petroleum Institute, a group covering a broad swath of the oil industry, said the RFS has long allowed exemptions for small refineries owned by large oil companies. But he said the number of waivers for all small refineries has surged after a federal court decision in August 2017.

Sinclair Oil sued the EPA after the agency wouldn't grant waivers for two of its small refineries in Wyoming. The EPA ruled that the refineries should not be exempted because they both appeared profitable enough to comply with their ethanol mandates. The Tenth U.S. Circuit Court of Appeals disagreed, finding the EPA's standard was too narrow.

The EPA was granting waivers only when the long-term survival of a refinery was at stake — i.e., that a refinery faced an "existential threat," the court concluded. That definition was at odds with what Congress intended.

“The issue was how high of a bar the EPA was setting,” Kelly said. “The court said it was too high of a bar, but it [the court] didn’t really set the bar. The court kicked it back to the EPA to reconsider how high to set the bar.” The EPA has not explained its waiver standards, Kelly said. “It is really an opaque process,” he noted. “EPA should be more forthcoming in how it is setting this bar.”

With the process kept secret, the amount of ethanol exempted from the renewable fuel standard is not clear at a time when knowing the number of gallons that have been cut from the national production quota is critical to farmers, said Minnesota native Emily Skor, CEO of Growth Energy, a trade group representing U.S. biofuel producers. If current estimates of more than 1 billion gallons are true, she said, it could cause corn growers to lose 50 cents per bushel and clobber the Corn Belt’s rural economy, already under pressure from slumping crop prices.

Minnesota is the nation’s fourth largest ethanol producer. The state’s ethanol output has grown from 1.03 billion gallons in 2013 to 1.2 billion gallons in 2017. Nineteen ethanol plants now operate in the state. They employ 1,700 people directly and generate more than \$2 billion in annual sales, state officials say. Corn farmers rely significantly on sales to these facilities.

Richard Syverson grows 700 acres of corn on his farm in Clontarf, Minn., and sells much of it for ethanol. Syverson bought shares in the Chippewa Valley Ethanol Co. when it opened in 1993. Ethanol, he said, “allows rural folks to participate in the energy space and it helps clean up the environment.”

Syverson called Pruitt’s issuance of hardship waivers “outrageous, to put it mildly.”

“Some of these companies made more money than all of the corn farmers in Minnesota [put together],” he said. “That just doesn’t make sense to me.”

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Wall Street Journal

<https://www.wsj.com/articles/trump-faces-pressure-to-choose-sides-in-fight-between-corn-growers-and-oil-refiners-1524648602?mod=searchresults&page=1&pos=5>

Trump Faces Pressure to Choose Sides in Fight Between Corn Growers and Oil Refiners

By Timothy Puko and Bradley Olson, 4/25/18, 5:30 AM

President Donald Trump is caught between two powerful business constituents of the Republican Party as he faces growing pressure to resolve a dispute between the oil industry and the Farm Belt.

Oil refineries want out of a costly requirement to blend ethanol into the gasoline they produce. Corn growers say the requirement diversifies the U.S. fuel supply, and insist Mr. Trump fulfill promises to at least hold the ethanol mandate. Both sides have close ties to the GOP and the White House.

Tensions between the two industries have been building since well before Mr. Trump became president, the result of a 2005 law that requires refineries to blend about 10% plant-based ethanol into the fuel they produce, or buy credits from rivals to cover their blending obligations. Congress created the mandate in hopes of reducing carbon emissions and weaning the U.S. from foreign crude at a time when oil prices had begun soaring.

By the time Mr. Trump took office, though, oil and gas supplies had gone from shortage to saturation thanks to the shale-drilling boom. Now, oil refiners—and some Trump advisers—consider a rollback of the 2005 regulation years overdue.

That leaves Mr. Trump stuck between conflicting promises to cut government regulation and to support ethanol mandates. He was one of the few in the Republican presidential primary race to emphasize the mandate in Iowa—the nation’s biggest corn-producing state and home to the first nominating contests.

The Trump White House has failed to broker a deal, even after hosting supporters from both sides in the Oval Office. The administration has struggled for months after several proposals for administrative solutions have run into opposition from corn or oil backers.

“I can’t see any obvious middle ground,” said Sandy Fielden, director of oil and products research at Morningstar. “If there was an easy answer, we’d all be looking at it.”

The impasse has refineries taking matters into their own hands, appealing directly to the Environmental Protection Agency for relief in the form of waivers. The agency has stepped up waiver approvals. That has infuriated agricultural interests and put more pressure on the White House to come up with a permanent solution.

The agricultural lobby has been uncomfortable with EPA chief Scott Pruitt, who, before coming to Washington, had called the ethanol mandate “unworkable” and filed a legal brief in 2013 backing a lawsuit challenging it when he was Oklahoma attorney general. Mr. Pruitt landed the EPA role in part because of a recommendation from Carl Icahn, a billionaire adviser to Mr. Trump’s transition team and an owner of a small refinery operator that faces around \$250 million in costs to comply with the ethanol mandate.

More oil refiners are looking to take advantage of a loophole in the law that has only widened since Mr. Pruitt took over the agency. Small refineries with less than 75,000 barrels a day of capacity—even if owned by a large company—can get a waiver if they prove the mandates are causing “disproportionate economic hardship,” according to the EPA website.

To get a waiver, each refinery gets evaluated on its own finances—independent from the health of its parent company. Compliance costs could still be tens of millions of dollars, which alone appears to be enough now to prove economic harm, industry lobbyists said.

For years, the EPA regularly rejected requests from refiners seeking waivers from ethanol requirements. Then this March, the agency agreed to waive millions in obligations for Philadelphia Energy Solutions, a major East Coast refiner that filed for bankruptcy after its costs to comply with the program rose to \$231 million in 2016. The EPA then began granting a number of waivers to the small refineries able to demonstrate economic harm, including one owned by Andeavor Corp., one of the country’s largest independent refiners and a company big enough to be part of the S&P 500.

The agency has rejected just one of about 30 applicants so far this year, encouraging more refiners to consider applying for the first time. It has received applications from oil giants Exxon Mobil Corp. and Chevron Corp.

Many now see an EPA waiver as a given. Some are even asking for waivers that would allow them recoup costs from years past. “If you can show economic harm—which is pretty easy to do—you have to consider it,” according to one oil-industry lobbyist who has been pushing the Trump administration for a waiver for a client. “People never imagined they would be eligible.”

One factor behind the change at EPA is a federal appeals-court decision last year that found the agency had been too restrictive in doling out waivers. Mr. Pruitt has since decided to accept every recommendation on a waiver from the Energy Department—which is responsible for calculations evaluating a refinery’s claim of economic harm—and grant full waivers even when the Energy Department recommended only partial waivers. This is opening the floodgates for applications and approvals, analysts and refiners say.

“The criteria used to grant waivers has not changed since previous administrations,” EPA spokeswoman Liz Bowman said. “EPA follows a longstanding, established process.”

Many in both the refining and farming industries dispute that assertion, and see a significant change in EPA policy. There are 38 plants across the U.S. that could qualify for the exemptions, according to the agency. Based on their capacity, the number of qualifying refineries could make up as much as 10% of the nation’s fuel supply, according to a Wall Street Journal analysis. More than half have already received them.

One result of the increase in waivers is a falling price for credits that many refineries need to buy to cover their obligations for ethanol blending. The cost of credits has halved in recent months as traders and companies have grown increasingly confident that the Trump administration will take action to reduce the burden oil refiners face in complying with the law.

Sen. Chuck Grassley, a Republican from Iowa, in a call with reporters Tuesday accused the EPA of abusing the waivers to cap the price of ethanol credits. EPA officials deny undermining the ethanol program.

While Mr. Trump has received support from Mr. Icahn and frequently touts his own backing of the fossil-fuel business, he has to be mindful of Iowa’s political clout and Mr. Grassley’s in particular. Aside from Iowa’s early primary, Mr. Grassley runs the powerful Senate Judiciary Committee, which oversees the confirmation of judges and has launched investigations into matters related to the president’s campaign and businesses.

“The president has said to me both publicly and privately many times that he intends, and he is keeping his commitment to ethanol,” Mr. Grassley said Tuesday. Mr. Pruitt is “undercutting the president’s promises.”

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The Hill

<http://thehill.com/policy/energy-environment/384688-dems-seek-probe-into-pruitt-aide-banned-from-banking>

Dems seek probe into Pruitt aide banned from banking

By Timothy Cama, 4/24/18, 4:59 PM

Two House Democrats are asking the Environmental Protection Agency’s (EPA) internal watchdog to investigate an adviser to Administrator Scott Pruitt who was banned nationally last year from the banking sector.

Albert “Kell” Kelly used to lead SpiritBank, based in Pruitt’s hometown of Tulsa, Okla. The two have known each other for years and Kelly got Pruitt financing for a mortgage and to help buy a minor league baseball team.

Pruitt hired Kelly last year as an adviser for the Superfund program, shortly before the Federal Deposit Insurance Corp. (FDIC) settled unknown allegations against Kelly by banning him from banking for a year.

“Mr. Kelly came to this position without the necessary qualifications, and with serious and still-unexplained red flags, and his conduct has raised ethical, regulatory and potential legal issues that we believe your office should examine,” Reps. Don Beyer (D-Va.) and Gerry Connolly (D-Va.) wrote to the EPA’s Office of Inspector General, seeking an investigation into Kelly’s hiring and management of Superfund.

They said that Kelly’s “only apparent connections to environmental regulation were his investments in companies deemed by the EPA to be responsible for the creation of Superfund sites and his longstanding friendship and financial relationship with Administrator Pruitt.”

The Democrats questioned if Kelly disclosed his FDIC troubles to federal hiring managers.

Kelly recently downplayed the FDIC action in an interview with the Montana Standard, and said he agreed to it only because he had run out of money to fight the regulators.

“My problem with the FDIC emanated from one singular transaction in 2010. They didn't like it,” Kelly said. “The bank didn't lose any money. The bank made money. There was nothing untoward about it.”

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Politico

<https://www.politicopro.com/energy/whiteboard/2018/04/democrats-request-ig-probe-of-pruitt-banker-turned-superfund-chief-1099980>

Democrats request IG probe of Pruitt banker-turned-Superfund chief

By Alex Guillen, 4/24/18, 3:30 PM

Two House Democrats today asked EPA’s inspector general to look into Albert “Kell” Kelly, the former Oklahoma banker with longtime connections to Administrator Scott Pruitt who now runs EPA’s Superfund program.

“Mr. Kelly came to this position without the necessary qualifications, and with serious and still-unexplained red flags, and his conducts has raised ethical, regulatory and potential legal issues that we believe your office should examine,” wrote Reps. Don Beyer and Gerry Connolly, both Virginia Democrats.

Kelly previously ran Tulsa-based SpiritBank, and last year agreed to pay a \$125,000 fine under a deal with the FDIC that also banned him from banking for the rest of his life for unspecified violations.

Kelly recently defended the loan in question, saying there was “nothing untoward about it” and noting that “the bank made money.” Pruitt also said this month that he is unfamiliar with Kelly’s banking problems and that they have no bearing on his EPA work.

Pruitt and Kelly have a longstanding financial relationship, according to recent reports. Kelly's bank issued mortgages for homes Pruitt bought in Tulsa and Oklahoma City, as well as for a significant stake Pruitt purchased in a minor league baseball team, the New York Times reported Saturday.

Aside from his qualifications, the lawmakers also asked the IG to review the Superfund task force run last year by Kelly that EPA later said never generated any meeting notes, communications or other documents under the Freedom of Information Act.

WHAT’S NEXT: The IG will decide whether to pursue a review of Kelly.

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New York Times

https://www.nytimes.com/2018/04/24/us/pasquale-perrotta-epa-american-media.html?rref=collection%2Ftimestopic%2FEnvironmental%20Protection%20Agency&action=click&contentCollection=timestopi cs®ion=stream&module=stream_unit&version=latest&contentPlacement=1&pgtype=collection

Pruitt’s Security Chief Moonlighted for Tabloid Publisher That Backed Trump

By Kenneth P. Vogel, Eric Lipton, and Jim Rutenberg, 4/24/18

WASHINGTON — The former Secret Service agent who leads the security detail for Scott Pruitt, the head of the Environmental Protection Agency, worked on assignments for the tabloid news publisher American Media Inc. during the 2016 presidential campaign, according to records and interviews.

The security official, Pasquale Perrotta, had received a waiver from the E.P.A. under the Obama administration to hold outside employment, but the work has now become the subject of scrutiny in both the agency and Congress.

Federal law enforcement personnel face stringent restrictions on outside jobs to prevent conflicts of interest.

A.M.I.’s chairman, David J. Pecker, is a friend of President Trump’s, and his publications — The National Enquirer and Radar chief among them — have put an emphasis on helping Mr. Trump and hurting his rivals, including endorsing his presidential bid. The company’s payment in August 2016 to Karen McDougal, the former Playboy model who claimed to have had an affair with Mr. Trump, has been drawn into a federal investigation of Mr. Trump’s personal lawyer, Michael D. Cohen.

Mr. Perrotta declined to discuss the nature of his assignments for A.M.I. According to several people familiar with his work and documents reviewed by The New York Times, some of the activities included physical security, cybersecurity and investigative services involving litigation.

A spokesman for A.M.I. also declined to comment on Mr. Perrotta’s assignments, but did not challenge that the company had worked with him. It is unclear when he began working with A.M.I. or how he first came into contact with the company.

Mr. Perrotta has been at the center of intense criticism of Mr. Pruitt for deploying expensive security measures at the E.P.A. He was named chief of the administrator’s security detail when his boss was removed after resisting Mr. Pruitt’s requests, such as using lights and sirens to cut through traffic during trips around Washington, including to restaurants.

Mr. Perrotta’s relationship with Mr. Pruitt is expected to be a subject of questions on Thursday, when the E.P.A. administrator is scheduled to appear before two separate House committees.

In an email to The Times, Mr. Perrotta said he was being unfairly attacked.

“I was a highly respected federal agent,” said Mr. Perrotta, 50, who worked in the Secret Service before joining the E.P.A. in 2004 and made his name investigating the Gambino crime family for the Bronx district attorney.

He said recent news coverage of his role in Mr. Pruitt’s E.P.A. had “tarnished” his image. “I am retiring as planned,” he wrote,

referring to his intended departure from the agency this summer, “but has anyone mentioned that I served with honor and distinction the Obama Administration? I served two former Administrators and now to end my career this way is totally unacceptable.”

During the 2016 campaign, Mr. Perrotta was assigned to the security detail protecting Gina McCarthy, who served as the head of the E.P.A. from 2013 until the end of the Obama administration. Liz Purchia, a spokeswoman, said Ms. McCarthy was not aware of the work Mr. Perrotta did for A.M.I.

Two E.P.A. employees who served on security details with Mr. Perrotta in recent years also said they did not know about his outside work. In 2013, Mr. Perrotta founded a consulting firm, Sequoia Security Group.

On Tuesday, two Democratic senators sent a letter to the E.P.A.’s Office of General Counsel asking questions about the nature of Mr. Perrotta’s outside work.

In the letter, the senators — Thomas R. Carper of Delaware and Sheldon Whitehouse of Rhode Island — suggested that Sequoia offered a range of services that appeared to be outside the scope of the waiver Mr. Perrotta received in 2013.

Among the services advertised on the firm’s website are “the collection and analysis of intelligence and media investigations” and “executive protection.”

The two-page waiver from the E.P.A. only specifically cleared Mr. Perrotta to operate “a security firm that will provide cybersecurity and denial of service insurance to consumers.”

The letter from the senators also asked the E.P.A. to provide copies of any financial disclosure statements filed by Mr. Perrotta detailing his outside income.

Representative Trey Gowdy, Republican of South Carolina, who is chairman of the House Committee on Oversight and Government Reform, has separately asked him and four other top aides to submit to a “transcribed interview” with investigators about the security detail and Mr. Perrotta’s firm.

Mr. Perrotta set up his security consulting business, based in Maryland, to prepare for life after leaving the federal government, he has told associates. They said he planned to retire from the E.P.A. in July. Last month, he requested and received an extension of the outside-work waiver for another year, according to people familiar with the waiver.

Mr. Perrotta has been registered as both a Republican and a Democrat, according to voter records, and associates say he has described himself as fiscally conservative and socially liberal.

He is acquainted with an important gatekeeper for the president — Keith Schiller, who served as Mr. Trump’s longtime bodyguard and later as his head of Oval Office operations — as well as a top executive at Mr. Trump’s company, Matthew Calamari. Mr. Perrotta offered them advice on security for Mr. Trump’s Washington hotel, which is across the street from the E.P.A.’s headquarters, but was not paid, according to people who know the men.

Mr. Perrotta’s associates say his outside work seems to be motivated by a desire to be at the center of the action and to make money, rather than by politics.

“I’ve never heard him make a disparaging comment about either party,” Edwin Steinmetz, a business partner, said earlier this month. Pointing out that Mr. Perrotta has worked for both Republicans and Democrats, Mr. Steinmetz said, “You either get in line and follow protocol, or you find a new job.”

Mr. Steinmetz conducted a security sweep of Mr. Pruitt’s office last year, and the E.P.A.’s inspector general is investigating Mr. Perrotta’s role in steering the \$3,000 contract to him. The money was paid to Mr. Steinmetz’s firm, Edwin Steinmetz Associates, according to an invoice, and Mr. Steinmetz said that Mr. Perrotta did not receive any compensation for the work. Mr. Steinmetz is also listed as a company official on the Sequoia website.

Mr. Steinmetz did not find any listening devices in Mr. Pruitt’s office, according to documents from the E.P.A.’s homeland security division. The documents indicate that the sweep was “very basic and cursory” and “did not employ the equipment, proper certification, or necessary processes” required by the federal government for sweeps of sensitive facilities.

AP

<https://www.apnews.com/c0556f80939f4561baad2bcf1656b885/EPA-security-chief-also-worked-for-owner-of-tabloid-company>

EPA security chief also worked for owner of tabloid company

By Michael Biesecker and Jeff Horwitz, 4/25/18

WASHINGTON (AP) — The security chief for the head of the Environmental Protection Agency worked on the side as a private investigator for the owner of a tabloid news company with close ties to President Donald Trump.

EPA special agent Pasquale “Nino” Perrotta performed regular work for National Enquirer publisher American Media Inc. during the 2016 election, according to person with knowledge of the company’s internal workings.

But unlike another private investigator hired by the Enquirer, Perrotta didn’t work on such newsroom projects as tracking down sources. Instead, the person told The Associated Press on Tuesday, Perrotta was engaged to discretely handle investigative work at the direction of AMI chairman and CEO David Pecker.

The person was not authorized to speak publicly about the company’s operations and spoke on condition of anonymity. The New York Times first reported Perrotta’s link to AMI.

In addition to his job at EPA, Perrotta is the top executive at Sequoia Security Group, a Maryland-based security firm. The person with knowledge of the situation did not know whether Perrotta was paid for his work for AMI and Pecker through Sequoia or another business entity.

A former Secret Service agent, Perrotta has worked at EPA for more than a decade. He was tapped by EPA Administrator Scott Pruitt last year to lead his 20-member, full-time personal protective detail.

Perrotta’s predecessor as Pruitt’s security chief was reassigned for refusing to acquiesce to the administrator’s demands for VIP treatment, including using the emergency lights on a government vehicle to speed through Washington traffic to make airline flights and dinner reservations.

Perrotta did not respond late Tuesday to messages seeking comment. EPA’s press office also did not respond to messages seeking comment about the security chief’s side business.

AP reported earlier this month that Perrotta oversaw a rapid expansion of Pruitt’s security team and the taxpayer-funded precautions used to ensure his personal safety, including the use of first-class airline seats after a fellow traveler cursed at the EPA chief in an airport.

Perrotta also spearheaded the purchase of a \$43,000 soundproof booth for Pruitt’s office to help ensure his telephone calls could not be overheard by others. The Government Accountability Office found earlier this month that the spending on the pricey privacy booth violated federal purchasing laws.

Democratic lawmakers on Tuesday issued a letter questioning whether Perrotta was improperly operating an outside consulting firm without proper approval from EPA ethics officials.

Under Pecker, American Media became one of the earliest and most fervent backers of Trump’s political career, providing breathless coverage as far back as 2011 to Trump’s promotion of the false theory that President Barack Obama might not be a U.S. citizen.

During the 2016 campaign, Pecker’s flagship National Enquirer was in close contact with Trump’s personal attorney Michael Cohen while it attacked Trump’s Republican opponents from its perch in supermarket checkout aisles, printing thin allegations about Sen. Ted Cruz’s personal life and alleging Democratic candidate Hillary Clinton was in declining physical and mental health.

AMI also helped Trump in a far less public fashion. The company paid \$150,000 to a former Playboy Playmate for the rights to her story about an alleged affair with Trump during his marriage to Melania, and another \$30,000 to a former Trump doorman peddling another story about Trump.

AMI has denied the payments were hush money, though Pecker himself noted in a New Yorker interview last year that the contract with Playmate Karen McDougal prevented her from “bashing Trump.”

Records show Perrotta received clearance in March 2013 for limited nongovernment consulting work but was required to get updated approval if his job duties changed. Perrotta received a significant promotion and pay raise last year.

According to the letter approving his work outside the agency, Perrotta told EPA ethics officials he expected to be “self-employed” to provide consulting to two to three clients for approximately three to six hours per week on issues related to cybersecurity and “denial of service insurance.”

The 2013 approval, which was in effect for a five-year period that expired last month, also barred Perrotta from using his government position to advance his personal interests.

AP reported in December that EPA paid \$3,000 to contractor Edwin Steinmetz Associates last year to search Pruitt’s office for secret listening devices. Steinmetz is also listed as a vice president at Perrotta’s security firm.

Emails obtained by congressional Democrats showed that Perrotta played a role in the decision to conduct the bug sweep, the contract for which the lawmakers allege he improperly steered to Steinmetz.

Tuesday’s letter was signed by Democratic Sens. Tom Carper of Delaware and Sheldon Whitehouse of Rhode Island, who serve on a committee with oversight of EPA. They ask an agency ethics official to re-examine whether Perrotta’s outside employment violates agency rules.

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New York Times

https://www.nytimes.com/2018/04/25/climate/pruitt-epa-congress-defense.html?rref=collection%2Ftimestopic%2FEnvironmental%20Protection%20Agency&action=click&contentCollection=timestopics®ion=stream&module=stream_unit&version=latest&contentPlacement=1&pgtype=collection

How Scott Pruitt Plans to Defend Himself on Capitol Hill: Spread the Blame

By Lisa Friedman and Coral Davenport, 4/25/18

WASHINGTON — As Scott Pruitt, the embattled head of the Environmental Protection Agency, prepares to testify before Congress on Thursday amid a series of spending and ethics investigations, an internal E.P.A. document indicates that he may blame his staff for many of the decisions that have put a cloud over his tenure at the agency.

The document, known as the “hot topics” list, appears to lay out talking points for Mr. Pruitt’s two sessions before the House of Representatives. It suggests that Mr. Pruitt is prepared to say that he now flies coach when traveling; that others were responsible for giving two close aides who used to work for him in Oklahoma substantial pay raises; and that E.P.A. officials who were reassigned or demoted after challenging his spending all had performance issues.

The document, which The New York Times has reviewed and the veracity of which the E.P.A. did not dispute, seemed to be a work in progress. Mr. Pruitt’s responses may change on Thursday when he appears before a House Energy and Commerce subcommittee in the morning, and a House Appropriations Committee panel in the afternoon.

His testimony coincides with rising calls from both Democrats and Republicans for Mr. Pruitt to step aside. He has been criticized for spending more than \$3 million on security in his first year in office, a figure that includes salary and overtime for his security detail of more than 20 people, some of whom have been dispatched to protect Mr. Pruitt on private trips to Disneyland, professional basketball games and the 2018 Rose Bowl in Pasadena, Calif.

Republicans in both chambers of Congress are increasingly raising concerns about Mr. Pruitt. “They’re not good reports,” said Senator John Thune of South Dakota, the third-ranking Republican in the Senate. “He has to answer those questions. There’s a lot of stuff out there that is certainly not helpful to his or the administration’s cause.”

Jahan Wilcox, a spokesman for the E.P.A., said in a statement that Mr. Pruitt was looking forward to discussing the agency’s efforts with lawmakers.

“Congressional hearings are an opportunity to reiterate the accomplishments of President Trump’s E.P.A., which include: working to repeal Obama’s Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead, all while returning to Reagan-era staffing levels,” Mr. Wilcox said.

Mr. Pruitt, in his prepared opening statement, which the House Energy and Commerce Committee made public Wednesday morning, makes no mention of the ethics issues that have dogged him recently.

Several Democrats said that they planned to ask Mr. Pruitt about environmental policy and climate change as well as ethics questions and detailed allegations of unchecked spending.

“On the ethics, the thing I worry about most is this concerted effort to basically fire everyone who questioned him,” said Representative Frank Pallone of New Jersey, the leading Democrat on the House Energy and Commerce Committee. “The biggest concern I have, which runs across the whole spectrum, is science. He wants to put science under the rug, make decisions that are not scientifically based. Get rid of anyone who is scientifically oriented.”

Under Mr. Pruitt’s leadership, the E.P.A. has begun to systematically dismantle former President Barack Obama’s environmental legacy. Mr. Pruitt’s zeal to roll back climate change regulations and impose new rules that benefit fossil fuel industries has endeared him to Mr. Trump. The president also is said to enjoy his E.P.A. chief’s company.

But the spending controversies have proven to be a major distraction. Mr. Pruitt currently faces 10 investigations by the E.P.A.’s inspector general’s office, the congressional watchdog Government Accountability Office, and the White House’s Office of Management and Budget, among others. One White House official said support for Mr. Pruitt inside the White House was waning. On Monday, Sarah Huckabee Sanders, the president’s press secretary, offered a guarded defense of Mr. Pruitt, praising his deregulation efforts but adding, “The other things certainly are something that we’re monitoring and looking at, and I’ll keep you posted.”

Against that backdrop, the hot topics document offers a window into how Mr. Pruitt views what both Democrats and Republicans say are serious ethical lapses.

The list is written in the first person and is structured around two dozen or so subjects, starting with sensitive issues like his travel and security spending, and whether he improperly maintained a secret email address, “sooner7@epa.gov.” The document also prepares Mr. Pruitt for questions on polarizing policy topics like why the E.P.A. removed climate change from its four-year strategic plan and restructured agency operations.

The responses show that Mr. Pruitt is prepared to push back hard against accusations that he misspent taxpayer money and to blame both career and political staff members as well as his security detail for myriad spending decisions.

If Mr. Pruitt is asked about the roughly \$163,000 in first-class flights he has taken since assuming the helm of E.P.A., the document suggests that Mr. Pruitt will say he was obligated to take the advice of his security team that first class was safer. But, he may tell lawmakers, he has since instructed officers to address security threats in new ways, including by allowing him to sit in coach.

“Changes have already begun occurring and I have been flying coach,” was one possible response, according to the document.

If he is asked about the 67 percent and 72 percent raises given to current aides who worked for Mr. Pruitt when he served as attorney general of Oklahoma, the document indicates he should answer that all decisions were made by others. The raises are suspended while the White House reviews them, he may say.

And if asked about reports that staff members who questioned the administrator’s spending were demoted, reassigned or requested new jobs, the document shows that Mr. Pruitt may suggest other reasons for the moves.

One of those former employees is John E. Reeder, the E.P.A. deputy chief of staff who joined American University as a temporary “executive in residence” after losing many of his job responsibilities. Two administration officials said Mr. Reeder was among the top officials who voiced concerns directly to Mr. Pruitt about his spending.

The document indicates that Mr. Pruitt is prepared to tell members of Congress that Mr. Reeder was questioned by the House Oversight Committee in 2015 about whether he and other E.P.A. leaders failed to address multiple allegations of workplace sexual harassment. Mr. Reeder declined to comment on the matter. But in sworn testimony in April 2015, he denied the allegation and no

disciplinary action was recommended or taken.

If Mr. Pruitt is asked about Kevin Chmielewski, who served as Mr. Pruitt's deputy chief of staff for operations before he was fired on March 18, the document shows that the E.P.A. chief may say that Mr. Chmielewski "had performance issues." Mr. Chmielewski has told associates that he believes complaints against him were retaliation for his raising objections about Mr. Pruitt's stewardship of taxpayer money — concerns that Mr. Chmielewski has since brought to members of Congress. Mr. Chmielewski did not respond to requests for comment.

Many of the "hot topics" items mirror answers given by the E.P.A. press office over the past several months in response to various scandals. For example, Mr. Pruitt may intend to deflect questions about why he paid to have his office swept for listening devices by noting — as the agency has before — that Lisa Jackson, who led the E.P.A. under President Barack Obama, did the same.

Other allegations, like reports that the E.P.A. looked into a bulletproof desk and a bulletproof sport utility vehicle, Mr. Pruitt may flatly deny, saying he wants to "put this rumor to rest," according to the memo. He may note that after a man opened fire on Republican members of Congress during practice for the Congressional Baseball Game last year, his security detail draped bulletproof vests over the car seats.

Two people familiar with Mr. Pruitt's security spending said his supporters internally explained increased security spending by suggesting that the administrator could have been at the congressional baseball practice. During his rise to prominence in Oklahoma, Mr. Pruitt managed and co-owned the Oklahoma City minor-league baseball team, and had been invited to the congressional practices.

Mr. Pruitt may also say that "at no point" did the E.P.A. hire private security guards in Italy to protect him during a trip there in June of 2017. Democrats asked about that contract in a letter to Mr. Pruitt this month based on information provided by Mr. Chmielewski.

Mr. Pruitt's goal on Thursday may be to convince Republicans that his personal spending issues will not be an ongoing political distraction. Representative Greg Walden, the Republican chairman of the House Energy and Commerce Committee, said, "It will be a cordial reception, but he's got some tough questions to answer."

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Washington Examiner

<https://www.washingtonexaminer.com/policy/energy/scott-pruitt-ignores-ethics-controversy-in-congressional-comments>

Scott Pruitt ignores ethics controversy in congressional comments

By Josh Siegel, 4/25/18, 11:31 AM

Environmental Protection Agency Administrator Scott Pruitt will ignore allegations involving his spending, travel, and ethics when he opens his testimony before Thursday's much-anticipated House Energy and Commerce subcommittee hearing.

Pruitt's opening statement, posted Wednesday in advance of the hearing, focuses on policy, with his usual message about returning the EPA to a "back to the basics agenda," emphasizing his cleaning up of Superfund sites, combating lead in drinking water, and giving more power to states.

The hearing is intended to focus on the EPA's fiscal 2019 budget request, but lawmakers are expected to grill Pruitt on recent scandals that have put his job in jeopardy.

"With this budget, we are committed to fulfilling our mission of protecting public health and the environment," Pruitt will say, according to the prepared testimony. "With support from our state and local partners, and by working with each of you and your colleagues in Congress, we can make a real difference for communities across America."

The posting of Pruitt's testimony comes as a White House official Wednesday said the embattled EPA administrator must address questions about various ethical allegations against him "in short order."

"I can tell you that the president and the White House are aware of these issues and these stories, that they raise some serious concerns, there's no question about that," White House deputy press secretary Hogan Gidley told NPR Wednesday. "We're looking

into those questions and concerns as well.”

“We know what’s going on over there. We’ve seen the reports and it raises questions,” Gidley added. “And the EPA and, quite frankly, Mr. Pruitt are going to have to answer those questions in short order.”

The White House is investigating Pruitt, as are various congressional committees and the EPA’s inspector general, for scandals including his \$50-per-night condo rental deal with the wife of a energy lobbyist, massive spending on security, frequent first-class travel, and retaliation against employees who question his judgment.

Pruitt is scheduled to testify before a House Energy and Commerce subcommittee Thursday morning and at a House Appropriations subcommittee in the afternoon.

Republicans in Congress are calling for more hearings, and have said they will be watching to see how Pruitt responds to questions from House lawmakers Thursday.

Sen. Jim Inhofe, R-Okla., a member of the Senate Environment and Public Works Committee, said he wants his panel to conduct an oversight hearing with Pruitt.

Inhofe represents Pruitt’s home state, and he introduced the EPA administrator at his confirmation hearing.

Sen. Lisa Murkowski, R-Alaska, meanwhile, told reporters Tuesday she plans to invite Pruitt to testify next month before the Senate appropriations subcommittee that oversees the EPA’s budget.

Sen. John Barrasso, R-Wyo., the chairman of the Environment and Public Works Committee, said Tuesday he is awaiting the results of the White House investigation of Pruitt’s ethics, as well as Pruitt’s performance in the House hearings, before determining next steps.

“I have questions about use of taxpayer dollars. I want to make sure taxpayers are getting value for their dollars, make sure money is being spent appropriately. So there continue to be serious questions,” Barrasso told reporters Tuesday. “We’ll see what comes out of the hearings on Thursday.”

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Politico

<https://www.politicopro.com/energy/whiteboard/2018/04/pruitt-opening-statement-avoids-reference-to-scandals-1106344>

Pruitt opening statement avoids reference to scandals

By Anthony Adragna, 4/25/18, 11:01 AM

EPA Administrator Scott Pruitt steers clear of the swirl of alleged ethics woes and other scandals surrounding his leadership of the nation’s environmental regulator in an opening statement released for Thursday’s House Energy and Commerce subcommittee hearing.

The document instead sticks closely to Pruitt’s normal talking points about improving air quality, bettering the nation’s water infrastructure, addressing Superfund and other land cleanups, working to ensure chemical safety and streamlining core agency missions, among others.

“With this budget, we are committed to fulfilling our mission of protecting public health and the environment,” Pruitt will say.

“With support from our state and local partners, and by working with each of you and your colleagues in Congress, we can make a real difference for communities across America.”

Pruitt will face aggressive questioning from Republicans and Democrats alike on a host of ethical lapses and lavish spending, including on first-class airfare, a sweetheart condo lease from a Washington lobbyist that subsequently met with him and significant pay raises that went to senior political aides without White House approval.

WHAT’S NEXT: The hearing before the Energy and Commerce Environment Subcommittee begins Thursday at 10 a.m. in Rayburn 2123, the first of two hearings where he is scheduled to testify that day.

Politico

<https://www.politicopro.com/energy/whiteboard/2018/04/report-pruitt-plans-to-shift-blame-for-scandals-1111510>

Report: Pruitt plans to shift blame for scandals

By Emily Holden, 4/25/18, 1:55 PM

EPA chief Scott Pruitt will seek to shift the blame for some of his ethics controversies by blaming his staff when he testifies at two House hearings Thursday, according to an internal EPA document reviewed by The New York Times.

Pruitt is prepared to say that he now flies coach rather than first-class, that staffers were responsible for large raises given to close aides without White House sign-off and that officials who were reportedly sidelined for questioning his behavior had performance issues, according to the Times.

The defenses are in line with what Pruitt and EPA spokespeople have said in recent months.

EPA did not dispute the authenticity of the document, but spokesman Jahan Wilcox said Pruitt would tout “the accomplishments of President [Donald] Trump’s EPA,” including “working to repeal Obama’s Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels.”

Pruitt is expected to face questions about his bargain condo rental from the wife of a lobbyist who has since resigned from his firm, his spending on a round-the-clock security detail and his previous refusal to fly coach. He is under investigation by three congressional committees, the EPA’s inspector general and the GAO, among other oversight bodies. White House deputy press secretary Hogan Gidley told NPR today that Pruitt will have to answer questions about the potential ethics violations “in short order.”

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ABC News

<http://abcnews.go.com/Politics/pruitt-declined-white-house-offer-prep-marathon-day/story?id=54696643>

Pruitt declined White House offer to help prep for marathon day of congressional questions

By John Santucci, Katherine Faulders, Stephanie Ebbs, and Matthew Mosk, 4/24/18, 2:06 PM

Environment Protection Agency chief Scott Pruitt declined an offer from the White House to help him prepare for what could be a marathon day of testimony before Congress Thursday, electing instead to prepare with a team of the loyal advisors he brought to Washington from Oklahoma, sources tell ABC News.

Pruitt’s congressional appearances this week could mark the second formal time the Oklahoma native will be confronted with pointed questions about recent reports regarding ethics concerns. Three weeks ago he appeared on Fox News against advice from White House media specialists, the sources said.

During that interview, Pruitt appeared to be on the defensive over a range of issues, including when he was asked about ABC News reports that he rented a \$50-a-night condo from the wife of a top Washington lobbyist. “Is draining the swamp renting an apartment from the wife of a Washington lobbyist?” Fox News correspondent Ed Henry asked.

“I don’t think that that’s even remotely fair to ask that question,” Pruitt responded.

The EPA did not respond to a request for comment on Pruitt’s preparations for this week’s hearing.

Pruitt has been the focus of a raft of media reports over the past several weeks. Those reports described efforts to secure raises for several of his top aides, despite objections from the White House; costly travel expenses and questionable changes to his office, all done under the guise of boosting security for Pruitt.

But sources familiar with Pruitt’s prep sessions for two congressional hearings scheduled for Thursday say the group sessions have

focused almost exclusively on policy matters, and not on the multiple looming controversies. His chief of staff, Oklahoma City native Ryan Jackson, has been quarterbacking the sessions. Earlier this month, it was Jackson who took responsibility for securing raises for several of Pruitt's top aides – something Pruitt said had occurred without his knowledge.

Ahead of the hearings, Pruitt has continued to push the pro-industry agenda that has won him favor with President Trump. This week, Pruitt announced two new directives supported by Congressional Republicans.

On Tuesday, Pruitt unveiled a new rule for how the EPA would limit the use of scientific materials to only research that makes the underlying raw data publicly available. Pruitt says the change will allow for more transparency. Critics, including former EPA administrator Gina McCarthy, say it could disqualify some of the research that forms the basis of regulations intended to protect public health.

A similar change was pushed in legislation by Rep. Lamar Smith, R-Texas, the chairman of the House Science Committee, who appeared at Tuesday's announcement at EPA - which was not open to reporters.

Earlier in the week Pruitt was in Georgia where he announced that as part of the president's existing executive orders to promote American energy independence and roll back regulations the EPA will now consider burning trees and other materials to be a carbon neutral activity, even though the EPA policy document also states that there is scientific disagreement among its scientific advisors over that issue. Both Democrats and Republicans have supported policies opening up investment in this kind of energy, including Sen. Susan Collins, R-Maine, who has been critical of Pruitt in recent weeks.

Ahead of his expecting grilling on Capitol Hill, Pruitt still has the support of conservative leaders outside of Congress, who co-signed a letter earlier this month thanking Trump for standing by Pruitt.

"He's one of the strongest members of the Cabinet in achieving President Trump's agenda of draining the swamp," Jenny Beth Martin, the chairman of the Tea Party Patriots Citizen Fund, said in an interview.

"The grassroots across this country like what Scott Pruitt is doing," she said, adding that her group would likely encourage members to support Pruitt later this week.

Conservatives outside the administration have remained in contact with the White House, and have expressed support for Pruitt, sources familiar with the conversations tell ABC News.

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Bloomberg

<https://www.bloomberg.com/news/articles/2018-04-24/pruitt-must-address-drip-drip-of-allegations-gop-leader-says>

Pruitt Must Address 'Drip, Drip' of Allegations, GOP Leader Says

By Sahil Kapur, 4/24/18, 3:16 PM

The third-ranking Senate Republican said Tuesday that Environmental Protection Agency Administrator Scott Pruitt has to address ethics questions, which he suggested are making it difficult for the EPA chief to do his job.

"Obviously, Scott Pruitt has got some serious questions to answer," Senator John Thune of South Dakota told reporters at the Capitol. "So we'll see where that goes. But I think that's being looked at, not just by the administration but also up here" in the Senate.

Thune said many members of Congress, particularly Republicans "like, on a policy level, many of the things that Administrator Pruitt is doing." But on questions about Pruitt's spending and travel, "obviously it's hard to explain that away. He's going to have to do it."

Thune's remarks indicate a crack in support for Pruitt among Republican leaders. They come amid scrutiny of Pruitt's unorthodox \$50-per-night rental of a Capitol Hill bedroom from a lobbyist's wife, frequent travel to his home state of Oklahoma and questionable spending decisions at the EPA.

Senator Jim Inhofe, an Oklahoma Republican who until recently had been one of Pruitt's staunchest defenders, told reporters

Tuesday he had become concerned about some of the recent allegations against the administrator.

"If they are all accurate, I would be very disturbed," Inhofe said. Asked if Pruitt should step down if the allegations are true, Inhofe said it "depends on which ones we are talking about."

Thune said the steady stream of revelations creates "a drip, drip out there, and that makes it harder to be effective in his job."

He wouldn't say if Pruitt should stay in his job or step down.

Democrats in Congress have been calling for Pruitt's ouster and are likely to highlight the controversies surrounding him and other members of President Donald Trump's cabinet as they campaign ahead of November congressional elections. House Democratic leader Nancy Pelosi of California accused the Trump administration of fostering a "culture of corruption."

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Politico

<https://www.politicopro.com/energy/whiteboard/2018/04/murkowski-pruitt-will-testify-to-senate-appropriators-1099215>

Murkowski: Pruitt will testify to Senate appropriators

By Anthony Adragna, 4/24/18, 3:03 PM

EPA Administrator Scott Pruitt is scheduled to testify in May before the Senate appropriations subcommittee that oversees his budget, Sen. Lisa Murkowski (R-Alaska), who chairs the panel, said today.

Murkowski did not elaborate on her plans for the hearing or how much it would delve into Pruitt's ethics and spending. But she said it was "absolutely appropriate" for the Environment and Public Works Committee to hold an oversight hearing on the administrator's conduct in office, an idea that has been endorsed by multiple Republicans on the authorization committee.

"I'm hoping they move on it sooner than later," Murkowski said of the EPW committee.

EPW Chairman John Barrasso (R-Wyo.) said today he has "serious questions" about how Pruitt has handled taxpayer dollars but stopped short of announcing plans for Pruitt to testify.

"We'll see what comes out of the hearings this Thursday," Barrasso said, referring to Pruitt's scheduled appearance of two House hearings that day.

Barrasso said he planned to send additional letters to EPA, following his recent request for details on the administrator's use of four separate email accounts. In response to that earlier letter, EPA told him all of Pruitt's accounts are searched in response to public records requests.

"You want to make sure taxpayers are getting value for their dollars," Barrasso told reporters today. "We want to make sure money is being spent appropriately."

WHAT'S NEXT: Murkowski declined to say when Pruitt would appear before her Appropriations Subcommittee on Interior, Environment and Related Agencies, but she has said previously it was expected to be the week of May 7.

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Daily Caller

<http://dailycaller.com/2018/04/25/white-house-sources-pruitt-leaks/>

White House 'Sources' Behind Recent Leaks Meant To Undermine Scott Pruitt

By Michael Bastasch, 4/25/18, 11:30 AM

White House "sources" are behind a series of leaks in recent days meant to undermine Environmental Protection Agency Administrator Scott Pruitt as he prepares for two Capitol Hill hearings.

Pruitt is preparing for a lashing from Democratic lawmakers this Thursday related to alleged overspending and ethical lapses, but White House leakers seem to be trying to undercut Pruitt before he testifies in Congress.

First came a Bloomberg News report on Monday that “White House officials are cautioning Republican lawmakers and other conservative allies to temper their defense” of Pruitt, citing two anonymous sources “familiar with the discussions.”

The next day, “two sources familiar with Pruitt’s preparation” for his dual hearings told The Daily Beast that “EPA has turned down an offer from the White House to help prepare the administrator for what is sure to be a bruising few hours of questions about the ethics and government spending controversies that have dogged him of late.”

The White House offered Pruitt’s staff help, got turned down, then immediately leaked it to the media — and only one day after White House staffers leaked to the press about clamping down on GOP support for Pruitt. Should it be a surprise the EPA turned down their “help”?

Also, White House sources told CNN’s Jim Acosta and Elizabeth Landers on Tuesday that top officials were “debating whether Pruitt should remain at EPA.”

“Aides question whether Pruitt has ethics for government service and say he remains a major distraction,” Acosta said.

Pruitt’s has come under fire from Democrats and environmentalists for allegedly spending too much money on travel and office perks and alleged ethical lapses, including temporarily renting a room in a condo co-owned by the wife of a top D.C. lobbyist.

Democrats have called for Pruitt’s removal, and some lawmakers have begun investigating the administrator’s actions. EPA’s Office of Inspector General also has open investigations into Pruitt’s actions and spending.

Reports have suggested Republicans are cooling their support for Pruitt, but only a couple of House GOP members have called for Pruitt to step down. Conservative groups want President Donald Trump to keep Pruitt in office to continue the deregulatory effort.

“Congressional Hearings are an opportunity to reiterate the accomplishments of President Trump’s EPA, which includes: working to repeal Obama’s Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead – all while returning to Reagan-era staffing levels,” EPA spokesman Jahan Wilcox said in a statement to The Daily Caller News Foundation.

Trump has only expressed support for Pruitt in public.

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Politico

<https://www.politico.com/story/2018/04/25/scott-pruitt-ethics-violations-white-house-550189>

Pruitt must answer questions about possible ethics violations, White House spokesman says

By Louis Nelson, 4/25/18, 9:44 AM

EPA Administrator Scott Pruitt will have to answer questions about alleged ethical violations “in short order,” White House deputy press secretary Hogan Gidley said Wednesday, stopping well short of offering a defense of the embattled administrator.

“I can tell you that the president and the White House are aware of these issues and these stories, that they raise some serious concerns, there’s no question about that,” Gidley told NPR. “We’re looking into those questions and concerns as well.”

Pruitt has been dogged in recent weeks by allegations of ethical lapses both before and during his tenure leading the EPA. Pruitt’s Washington residence, a \$50-per-night condominium on Capitol Hill rented from the wife of a prominent energy lobbyist, has raised ethical concerns, as has his part in the seemingly below-market-rate purchase of an Oklahoma City home from a telecommunications lobbyist in 2003.

The administrator’s spending has also generated controversy, including raises for close aides, security expenses that significantly exceeded those of his predecessors and his insistence on flying first class when traveling for government business.

While Pruitt has thus far been able to retain his position, his actions have eroded his support on Capitol Hill, where Republican lawmakers have begun to clamor for hearings into the administrator's alleged ethical lapses. Gidley, in his NPR interview, said the White House wants answers from Pruitt as well.

"We know what's going on over there. We've seen the reports and it raises questions," he said. "And the EPA and, quite frankly, Mr. Pruitt are going to have to answer those questions in short order."

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New York Times

<https://www.nytimes.com/2018/04/24/climate/pruitt-inhofe-epa-ethics.html?rref=collection%2Ftimestopic%2FEnvironmental%20Protection%20Agency>

Scott Pruitt's Political Patron Now Questions the E.P.A. Chief's Ethics

By Coral Davenport, 4/24/18

WASHINGTON — Scott Pruitt, the head of the Environmental Protection Agency, may be losing support even from his staunchest allies. His longtime political patron, Senator James Inhofe, said Tuesday that he would like to see an investigation into the ethical allegations against his protégé. If any prove true, he said, they could "have an effect" on Mr. Pruitt's job.

Mr. Inhofe said he was troubled by a recent New York Times story that detailed allegations of unchecked spending and ethics questions during Mr. Pruitt's career as attorney general and state senator in Oklahoma.

"I've known him since he was in the state legislature and supported him," Mr. Inhofe said Tuesday. "These are accusations I did not know anything about."

It is a remarkable turn for Mr. Inhofe, who as the senior senator from Oklahoma had championed the career of Mr. Pruitt, a fellow conservative from his home state.

Mr. Inhofe, 83, who has long been known for his view that the established science of human-caused climate change is a hoax, seemed to have found a kindred spirit and possible successor in Mr. Pruitt, 49. As attorney general of Oklahoma, Mr. Pruitt built his career suing the Obama administration over environmental regulations, particularly on climate change. Mr. Pruitt is widely thought to be considering a run for Mr. Inhofe's Senate seat when he retires.

Mr. Inhofe once flew Mr. Pruitt around the state in his personal airplane as the younger man campaigned for office. When the Trump administration nominated Mr. Pruitt to run the E.P.A., Mr. Inhofe gave him a glowing introductory speech at his Senate confirmation hearing.

As reports have piled up in recent weeks questioning the ethics of several of Mr. Pruitt's decisions, including his illegal purchase of an office phone booth, his expenditures on first-class travel and his rental of a condominium linked to an energy lobbyist, Mr. Inhofe continued to support him.

But Mr. Inhofe said on Tuesday that he was now concerned enough about the allegations — particularly those of ethical lapses in Oklahoma — that he would like to see them investigated.

"I want to check and see how authentic the accusations against him are. If they are authentic it could have an effect," he said. "But sometimes things are not all that authentic."

The possible loss of Mr. Inhofe's support means "that Pruitt is in big trouble," John Feehery, a Republican strategist who worked for former House Speaker Dennis Hastert and the former House majority leader Tom DeLay, wrote in an email.

Ultimately, of course, Mr. Pruitt's fate depends on President Trump, who until now has continued to back his E.P.A. chief, cheering his aggressive efforts to roll back Obama-era environmental regulations.

Asked about Mr. Pruitt on Monday, the White House press secretary, Sarah Huckabee Sanders, said: "Administrator Pruitt has done a good job of implementing the president's policies, particularly on deregulation; making the United States less energy-dependent and becoming more energy independent. Those are good things. However, the other things certainly are something that we're monitoring and looking at and I'll keep you posted."

Mr. Inhofe said he had not spoken with Mr. Trump or Mr. Pruitt in recent days, but the president and the Oklahoma senator have a good relationship. They spoke several times by phone during Mr. Trump's presidential campaign, and Mr. Inhofe's influence on environmental policy is evident throughout the Trump administration: many of his former staff members now work at the White House and the E.P.A.

Indeed, much of Mr. Trump's environmental agenda, like undoing E.P.A. climate change rules and pulling the United States out of the Paris climate change accord, is taken straight from the playbook Mr. Inhofe has pushed for years on Capitol Hill.

Privately, many of the former Inhofe staff members now in the Trump administration say they are fed up with the chaos surrounding Mr. Pruitt and are more than ready to see him go. They noted that another former member of Inhofe's staff, Andrew Wheeler, had recently been confirmed as Mr. Pruitt's deputy, and that Mr. Wheeler, a former coal lobbyist, was well positioned to continue the agenda of rolling back environmental rules should Mr. Pruitt step down.

Some of the former Inhofe staff members noted that they were not surprised to see their former boss raise questions about Mr. Pruitt once the allegations about Mr. Pruitt's ethical lapses touched his home state.

"Senator Inhofe is a very principled guy," said Dimitri Karakitsos, who used to work for Mr. Inhofe and now represents energy companies with the Washington law firm Holland & Knight. "Despite his reputation for being an ideologue, his character is why he has such good relationships with so many people, including Democrats. He's not the type of person to blindly support someone in any circumstance."

Mr. Karakitsos added: "He's big on government waste and abuse of power. If there is inappropriate behavior or misappropriation of funds, he takes that seriously, and he is a great champion and voice for the people of Oklahoma who take it seriously as well."

Mr. Pruitt is scheduled to appear before two House committees for questioning on Thursday.

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Washington Times

<https://www.washingtontimes.com/news/2018/apr/25/sierra-club-launches-television-ad-calling-on-pres/>

Sierra Club launches television ad calling on Trump to fire Scott Pruitt

By Sally Persons, 4/25/18

The Sierra Club launched a new television ad on Wednesday calling on President Trump to fire Environmental Protection Agency Administrator Scott Pruitt.

"From abusing taxpayer funds to pay for his first-class travel and exorbitant security detail, to defying White House orders, it's clear that Pruitt has spent his time as EPA administrator parading around and directing others as if he were the president — just as he desires to be treated," said Melinda Pierce, federal policy director at the Sierra Club.

The ad comes with the hashtag "BootPruitt" and calls out Mr. Pruitt's travel expenses and giving "huge raises" to his friends.

"EPA Administrator Scott Pruitt wants to be treated like he was the president," says the narrator in the ad.

The ad kicked off on Fox News' "Fox & Friends" Wednesday and will run through Friday. The program is known to be one Mr. Trump watches regularly, based on his Twitter activity.

The Sierra Club is the largest grassroots environmental group and works to promote clean energy and protect wildlife.

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Washington Examiner

<https://www.washingtonexaminer.com/opinion/scott-pruitt-timothy-geithner-and-the-problem-of-bunking-with-special-interests>

Scott Pruitt, Timothy Geithner, and the problem of bunking with special interests (*Op-Ed)

Scott Pruitt's sin isn't exactly original. But we should no more excuse him his trespasses than we excused those who trespassed before him.

Long before it came to light that the beleaguered EPA administrator rented a luxury condominium from the wife of an energy lobbyist, Treasury Secretary Timothy Geithner lived rent-free in a \$3.5 million, six-bedroom Washington townhouse owned by his best friend later turned JPMorgan Chase executive Daniel Zelikow.

That was eight years ago, and it seemed like everybody knew about the not-so-secret crash pad.

The Washington Post first reported on the Geithner living situation and wrote, somewhat incredulously, that the secretary demonstrated “a model of frugality.” It was all on the up-and-up, his spokesman insisted, because his lawyers had “determined that the arrangement is appropriate under ethics laws.”

And so for almost a year, Geithner was next-door neighbors with the ambassador of Monaco and near the neighborhood of then-Secretary of State Hillary Clinton. It only became a problem when it came to light that the treasury bailed out JP Morgan to the tune of \$25 billion around the same time Geithner was living comfortably in the house and lounging around the pool of a top Wall Street muckety-muck.

The episode is eerily similar to the Pruitt situation. While that conservative actually paid rent (\$50 a night or \$1,500 per month), the arrangement was equally suspect. The New York Times reports that Pruitt met with his lobbyist landlord, and that the EPA was lobbied by that lobbyist landlord’s law firm.

It is easy to imagine that Pruitt was skewered especially because of his politics. But the motivations of his enemies are immaterial to the facts. It was wrong when Pruitt rent from an energy lobbyist, and it was wrong when Geithner shackled up with a bank executive.

Neither broke any laws per se, and both have lawyers who said the living arrangements were above board. But as a general rule, it would seem that grown men in control of burgeoning government agencies shouldn’t bunk with special interests. Congress should pass a law or something.

Philip Wegmann is a commentary writer for the Washington Examiner.

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The Detroit News

<https://www.detroitnews.com/story/news/michigan/flint-water-crisis/2018/04/24/va-tech-edwards-epa-grant-flint-water/34221001/>

Va. Tech. expert, team win \$2M for lead water research

4/24/18, 9:45 PM

Federal officials are giving nearly \$2 million for research to a team led by the Virginia Tech researcher who uncovered elevated lead levels in Flint’s drinking water to research preventing such problems nationwide.

Staffers are slated to use the money to create a consumer-based framework to detect and control lead in drinking water, the agency said in a statement. The “community science project” aims to raise awareness while helping “the most vulnerable communities to actively participate in identifying risks and evaluating opportunities to mitigate those risks.”

“Our team will establish one of the largest citizen-science engineering projects in U.S. history to help individuals and communities deal with our shared responsibility for controlling exposure to lead in drinking water through a combination of low-cost sampling, outreach, direct collaboration and modeling,” said a statement by Marc Edwards, the principal investigator on the project at Virginia Polytechnic Institute and State University, where he has long worked.

“We will tap a growing ‘crowd’ of consumers who want to learn how to better protect themselves from lead, and in the process,

also create new knowledge to protect others. Whether from wells or municipalities, we all consume water, and we can collectively work to reduce health risks.”

The U.S. Environmental Protection Agency is expected to announce the funding Wednesday.

The grant dovetails with federal efforts to tackle lead exposure and comes weeks after Edwards testified in the district court case involving Nick Lyon, the state Health and Human Services director, who is charged with involuntary manslaughter linked to the Flint water crisis.

The Flint water crisis began when the city’s water supply was contaminated with lead in April 2014, when a state-appointed emergency manager switched the source of the city’s drinking water supply from Lake Huron to the Flint River. When the move was made, the Michigan Department of Environmental Quality did not require adequate corrosion-control chemicals to treat the water, causing lead to leach from joints, pipes and fixtures

Prosecutors have said the switch helped create the conditions for a Legionnaires’ outbreak that killed 12 and sickened 79 others.

Edwards, an environmental engineer, tested the water of Flint resident Lee-Anne Walter in 2015 and found elevated lead levels he had not seen in 25 years. He assembled a team of Virginia Tech researchers, took them to Flint to test the water, launched a website and paid \$150,000 to complete the work.

He also found documents showing that state leaders knew in the summer of 2015 that there was lead contamination in Flint’s water. Edwards testified before Congress in March 2016 about the crisis.

The EPA grant follows the launch of a task force this year to address childhood lead exposure.

“Lead exposure is one of the greatest environmental threats we face as a country, and it’s especially dangerous for our children,” EPA Administrator Scott Pruitt said. “This research will move us one step closer to advancing our work to eradicate lead in drinking water.”

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Roanoke Times

http://www.roanoke.com/news/education/higher_education/virginia_tech/virginia-tech-team-gets-grant-to-start-largest-engineering-citizen/article_82c202c5-1491-56a8-8190-ea68c0a0cd89.html

Virginia Tech team gets grant to start largest engineering citizen-science project in U.S. history

By Robby Korth, 4/25/18

Virginia Tech's Flint Water Study Team will be taking their work in the Michigan city to the next level thanks to an Environmental Protection Agency grant.

Tech's Marc Edwards received a nearly \$2 million grant from the EPA to research strategies to detect and control lead levels in drinking water. Its intention is to raise awareness and an understanding in the public about lead-in-water issues. He said the grant will fund the "largest engineering citizen-science project in American history."

The three-year funding will help Edwards, along with researchers from North Carolina State and Louisiana State University conduct research and help citizen scientists take control of measuring their own water supplies.

Edwards, dubbed a "hero" engineering professor for his work exposing a lead-in-water crisis in Flint, Michigan, will work to create a massive citizen-scientist framework that will allow people to test their own water nationwide.

“In the end, it seems good work does get recognized,” Edwards said. “All the work we did with consumers over the years and the students at Virginia Tech created this bottom up organic science phenomena. It created a tidal wave of understanding that couldn’t be ignored.

"This is how science is supposed to work to me."

In a telephone interview, Edwards joked that the grant would cause his operation "to lose money a little less quickly." However, he

said the funding would make a big difference.

His lab already receives countless water samples around the country for testing. With this money, Edwards hopes to take some of that testing back to the people in an effort to identify places with poor water quality. He's hoping sampling from around the country will make places that could also be like Flint known.

He said the funding will also help pay for testing in places that haven't had much attention paid to their water quality and could help create community-wide sampling campaigns "on the Flint model."

Further, the funding will test home kits in an effort to figure out which are the most effective in identifying problems in water.

Edwards was in Washington D.C., Wednesday readying for a meeting with EPA and Leanne Walters about the project. Walters recently won the \$200,000 Goldman Environmental Prize for grassroots environmental activism. Walters was the first person to reach out to Edwards about Flint's water levels.

She has since moved to Virginia, according to the Associated Press, but continues to be an active voice as the aftershocks from the water crisis continue to resonate four years later.

Edwards fought against state and federal agencies, arguing that Flint's water was inundated with lead particulate after local officials switched water sources in 2014 to save money.

Edwards and a team of Tech students, faculty and researchers worked with local residents to test the water and identify the source of their lead-tainted water. Michigan pediatrician Mona Hanna-Attisha conducted tests on children to show elevated blood lead levels around the city.

The work resulted in national attention on water infrastructure, a state of emergency, criminal charges against public officials and a switch back to an old water system.

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E&E Greenwire

<https://www.eenews.net/greenwire/stories/1060080081/search?keyword=EPA>

Agency nixes webpages for international initiatives

By Christa Marshall, 4/25/18

EPA has removed several webpages outlining its international efforts on climate change, air pollution, clean water and other issues.

In a report this morning, the Environmental Data & Governance Initiative — which tracks webpages across the federal government — reported that the agency has eliminated its "International Priorities" page, which described work with other countries on six issues, including e-waste and toxic chemicals.

"While almost all pages linked from the removed pages remain available, access to them has been significantly reduced by these changes," the report said.

The former "International Grants and Cooperative Agreements" page, which included information about EPA's international and tribal grants, also was removed. Links to information on international climate partnerships were taken down from the main international page.

The changes appear to have occurred between mid-December and mid-October of last year, EDGI said.

The agency still maintains an "international cooperation" website, even though subsegments are now gone.

"We are constantly updating our website to reflect new initiatives and projects of the Agency, EPA said. "Of course the site will be reflective of the current administration's priorities — with that said, all the content from the previous administration is still easily accessible and publicly available through the banner across the top of the main page of the site."

Last week, a California House Democrat introduced legislation requiring EPA Administrator Scott Pruitt to restore webpages about climate change that were altered (E&E Daily, April 20).

The report comes as Pruitt is expected to get grilled at congressional hearings tomorrow about his spending practices and the agency's overhaul yesterday of how scientific data is used in crafting regulations (see related story).

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Politico

<https://www.politicopro.com/energy/whiteboard/2018/04/whitehouse-asks-for-recusal-docs-for-epa-air-chief-wehrum-1109996>

Whitehouse asks for recusal docs for EPA air chief Wehrum

By Alex Guillen, 4/25/18, 12:53 PM

Sen. Sheldon Whitehouse (D-R.I.) today asked EPA to release details about air chief Bill Wehrum's recusals, saying the agency has been unresponsive to requests so far.

A publicly available ethics certification from December shows that Wehrum has recused himself from at least some matters connected to his past job as an attorney at Hunton & Williams, where his clients have included the American Petroleum Industry, American Fuel & Petrochemical Manufacturers, the Utility Air Regulatory Group, the American Chemistry Council, the National Association of Manufacturers and the American Forest & Paper Association.

But the document does not specify what issues Wehrum is recused from or whether he received waivers on any issues, Whitehouse wrote, adding that multiple requests from his office for more detailed documents over the past two months have not been answered.

"The public does not know whether the agency has concluded that Mr. Wehrum has conflicts of interest in these matters and if so, what steps have been taken to address them," Whitehouse wrote.

WHAT'S NEXT: Whitehouse asked for a response by May 2.

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EPA Biomass Policy Unlikely To Offer Short-Term Industry Boost

By Abby Smith, 4/25/18

The forest and paper industries have long sought the carbon-neutral biomass policy that the EPA announced April 23, but it likely won't cause an immediate investment spark in the sector.

Instead, industry groups, including the Biomass Power Association and the American Forest & Paper Association, say the clarity that the new Environmental Protection Agency's [policy statement](#) offers can bolster states' inclusion of biomass as they weigh future climate and clean-energy initiatives.

"I don't anticipate a market short-term change for biomass," Carrie Annand, executive director of the Biomass Power Association, told Bloomberg Environment. "But I do think that where you will see a change is it sends a message to states that biomass is a perfectly legitimate renewable energy source."

The Biomass Power Association's members include DTE Energy, Covanta Energy, and Minnesota Power.

The EPA will consider forest biomass burned at power plants carbon neutral in all future regulations, EPA Administrator Scott Pruitt announced during a meeting with forestry groups in Cochran, Ga. The policy grants "much-needed certainty and clarity" on the carbon neutrality of forest biomass, he said in a statement.

But the new EPA policy will also face intense scrutiny from environmental groups, who say the move flies in the face of established science. They point to scientific studies showing the smokestack emissions of wood-burning power plants are greater than those of fossil-fuel-fired plants.

“This is Pruitt's EPA throwing a bone to the forest products industry, trying to buy their allegiance, but I'm not sure it's going to make much difference in a practical way,” Mary Booth, director of the Partnership for Policy Integrity, told Bloomberg Environment.

The policy statement “signals in a very pathetic way how poor their grasp of the science is,” added Booth, whose group advocates for science-based policy on biomass.

Policy Announcement

Burning biomass—wood and other organic matter—to create energy releases carbon, but it has been classified as a renewable energy source in the European Union and United Nations legal frameworks, because plant stocks can be replaced with new growth.

The agency also noted its policy is consistent with legislative language inserted into the February bipartisan budget deal—as well as other appropriations legislation dating back to 2016—shielding facilities that burn wood and other organic matter from greenhouse-gas regulation.

Though the EPA's statement outlines the agency's future consideration of forest biomass, the agency will have to make a rule to implement the policy.

Science Advisers' Review

The policy appears to undercut an ongoing peer review—initiated in 2011—by the agency's Science Advisory Board of the EPA's technical work to develop an accounting framework for emissions from biomass used in energy production.

Sami Yassa, a senior scientist with the Natural Resources Defense Council, said the EPA's policy statement specifically says it's “not a scientific determination” and doesn't revise any prior agency science.

Pruitt's “not even trying to hide the fact that he's carrying the water for industry while rejecting the science,” he told Bloomberg Environment, though adding “what that means for the [Science Advisory Board] review is anyone's guess.”

Industry groups, however, say the agency's science panel has had years to establish a clear policy on energy from biomass but has remained gridlocked, leading to uncertainty that risks investments and creates confusion compared with state policy.

The panel “has been looking at this for about five years and they haven't been able to come to a workable solution,” Donna Harman, president and CEO of the American Forest & Paper Association, told Bloomberg Environment. “After five years' time, I think you need to move on.”

American Forest & Paper Association members include Georgia-Pacific LLC, UPM, and International Paper Company.

Biomass Economics

The EPA's announcement also recognizes the “practical side” to biomass energy, Harman said.

“This is a win-win. These renewable biomass materials are creating energy that we use to run our factories and our facilities,” she added.

But while the EPA's policy announcement offers clarity, industry groups are also hoping for the financial incentives to back it up. Annand of the Biomass Power Association pointed to an effort in the House ([H.R. 4137](#)) to extend federal tax credits for biomass power that have expired so they are in line with incentives offered to solar and wind power.

“Policy that is designed to incentivize biomass, combined with this official recognition of our carbon benefits—those two things together” will drive significant investment, she added.

Environmentalists also say they don't expect any near-term boost to the industry from the EPA's policy alone. The economics aren't in biomass's favor, Booth said, because both cheap natural gas and “truly clean renewables” such as wind and solar are beating biomass in the market.

“It's just not competing very well, and it's hard to get financing for these plants right now,” she added.

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EPA's Toxic Air Pollution Policy Shift Sees Few Takers So Far

By Jennifer Lu, 4/25/18

Several businesses have asked two state officials about a new EPA policy that would let large emitters of toxic air pollution meet less stringent standards if they keep their emissions down.

One business has already contacted Ohio officials about taking advantage of the Environmental Protection Agency's policy, and Lori Hanson from Iowa's Air Quality Bureau told Bloomberg Environment that she's fielded inquiries from several curious industries.

About 70 percent of the largest sources of toxic air pollutants could be eligible to be reclassified under the EPA's new policy, the Union of Concerned Scientists in an April 24 analysis.

If all 1,926 eligible facilities sought that reclassification, then toxic emissions could increase by 35,000 tons annually, Juan Declet-Barreto, the climate scientist at Union of Concerned Scientists who conducted the analysis, told Bloomberg Environment.

The EPA in January [announced](#) that it would reverse its policy on toxic air pollutants, known as “once in always in.” This policy prevented the largest sources of toxic air pollutants from removing pollution control devices after their emissions fell below the threshold for regulation. Under the EPA's new policy, those facilities could ask to be reclassified as smaller “area” sources that are subject to less stringent requirements.

States See Little Impact

While the Union of Concerned Scientists concluded that toxic emissions would increase as a result of the EPA's policy change, state officials said only those facilities that successfully reduced their emissions could apply.

“Because Ohio EPA permits and permit modifications are written to be protective of human health, the suggestion that 12 facilities in the Cincinnati area could increase allowable hazardous emissions as a result of this policy change seems very unlikely,” James Lee, a spokesman for the Ohio Environmental Protection Agency, told Bloomberg Environment in an email.

The analysis by the Union of Concerned Scientists is one of the first attempts to quantify the effect of the EPA's new policy, which the agency didn't address in its memorandum.

“Without any analysis of what the emissions outcomes are, there is a decent chance that the burden of understanding [emissions outcomes] is going to fall on state and local agencies,” Miles Keogh, executive director of the National Association of Clean Air Agencies, told Bloomberg Environment.

While EPA staffers have told state officials that they are working on implementation instructions, the agency hasn't provided a timeline for when it will issue further guidance, Keogh said.

Brad Miller, assistant director of the Southwest Ohio Air Quality Agency, said his district, which covers five counties, has approximately 20 facilities subject to air toxics standards, including General Electric Aviation, AK Steel, Metal Coaters Ohio, and Core Molding Technologies, but none of the major sources have applied for permit modifications so far.

It was unclear why none of the facilities have taken advantage of the policy change, he said.

None of the companies immediately responded to Bloomberg Environment's request for comment.

The New York State Department of Conservation said in an emailed statement that because “New York has some of the most stringent regulations to limit air pollution in the nation,” they were concerned about “the potential increase in the release of hazardous air pollutants from neighboring states” that don't have as stringent air pollution control plans.

Nebraska, Indiana, and Alabama, also identified by the Union of Concerned Scientists report to be possible hot spots for potential emissions increases, didn't immediately respond to Bloomberg Environment's request for comment.

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AP

<https://apnews.com/57291ca2caba445da319d29f0d491bff/Oakland,-water-district-fined-for-sewage-spills-into-bay>

Oakland, water district fined for sewage spills into bay

4/24/18

SAN FRANCISCO (AP) — The U.S. Environmental Protection Agency says the city of Oakland and a water district are being fined \$350,000 for allegedly allowing sewage water to flow into the San Francisco Bay.

The EPA says in a statement Tuesday that Oakland will have to pay more than \$220,000 in fines for the violations between September 2014 and June 2017. The East Bay Municipal Utility District is being fined \$134,000.

The EPA says the penalties are also for violating the terms of a 2014 agreement that required them and other East Bay cities to invest \$1.5 billion over 21 years to upgrade their aging sewer systems.

The EPA says that since 2014 about \$80 million has been spent to rehabilitate 100 miles of sewer pipe in a 1,500-mile-long sewer system.

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MarkWest Agrees to Spend \$5.6M to Settle Clean Air Act Claims

By Leslie A. Pappas, 4/25/18

Two MarkWest Energy Partners LP subsidiaries will pay more than \$5.6 million and cut annual emissions by more than 700 tons to settle allegations of Clean Air Act violations in Pennsylvania and Ohio.

MarkWest Liberty Midstream Resources LLC and Ohio Gathering Co. LLC will pay a \$610,000 civil penalty and spend \$2.6 million to comply with the air act. In addition, the company would spend about \$2.4 million to support other environmental projects, according to a [consent decree](#) signed April 24 with the Department of Justice, Environmental Protection Agency, and Pennsylvania Department of Environmental Protection.

The settlement—filed in the U.S. District Court for the Western District of Pennsylvania—involves allegations related to 26 compressor stations, 19 large facilities, and 273 small stand-alone sites known as “pigging” facilities in Pennsylvania and Ohio, according to the EPA's [website](#).

“I'm pleased to announce that through this agreement, MarkWest will make improvements to more than 300 facilities in western Pennsylvania and eastern Ohio,” Susan Bodine, the EPA's assistant administrator for the Office of Enforcement and Compliance Assurance, said in a statement.

Pig It

Pigging operations are regular maintenance and cleaning activities that prevent buildup in pipelines. The companies either failed to apply for permits or properly keep records for the pigging and venting activities that released excess volatile organic compounds (VOC) emissions, the EPA said.

Volatile organics contribute to street-level ozone concentrations, which are associated with a variety of environmental health

problems, including decreased lung function.

Under the settlement, Denver-based MarkWest will install ambient monitoring stations in addition to new technologies to minimize VOC emissions throughout eastern Ohio and western Pennsylvania.

The company had nothing to add beyond the EPA announcement, Jamal T. Kheiry, a spokesman for Marathon Petroleum Corp., told Bloomberg Environment in an email April 24. Marathon Petroleum Corp. is the general partner of MPLX LP, which owns MarkWest.

The proposed settlement is subject to a 30-day public comment period and final court approval.

The case is United States v. MarkWest Liberty Midstream & Res., LLC, W.D. Pa., No. 2:18-cv-00520-LPL, *Consent decree* 4/24/18.

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